



PUBLIC NOTICE:

Anyone wishing to speak on an agenda item should sign on the appropriate sign-up sheet(s). If no sheet is available, ask to be recognized by the Mayor at the beginning of that agenda item. Visitor's Agenda items are asked to be two minutes or less. Longer matters can be set for a future Agenda by contacting either the Mayor or the City Manager.

Times noted are estimated; it is recommended that persons interested in testifying be present by 7:15 p.m. to sign in on the testimony sign-in sheet. Business agenda items can be heard in any order after 7:30 p.m.

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

A G E N D A
TIGARD CITY COUNCIL MEETING
JANUARY 28, 2003

6:30 PM

- STUDY SESSION
 - > REVIEW FINAL DESIGN DEVELOPMENT PLANS FOR THE NEW TIGARD LIBRARY
 - Staff Report: Library Staff
- EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(3), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

7:30 PM

1. BUSINESS MEETING
 - 1.1 Call to Order - City Council & Local Contract Review Board
 - 1.2 Roll Call
 - 1.3 Pledge of Allegiance
 - 1.4 Council Communications & Liaison Reports
 - 1.5 Call to Council and Staff for Non-Agenda Items
2. VISITOR'S AGENDA (Two Minutes or Less, Please)
3. CONSENT AGENDA: These items are considered to be routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:
 - 3.1 Approve Council Minutes for November 26, December 10 and 17, 2002.
 - 3.2 Receive and File: Council Goal Update – Quarter 4 of 2002

- 3.3 Endorse the Submittal of a Federal Recreational Trails Program (RTP) Grant Application – Resolution No. 03-____
 - 3.4 Endorse Tualatin River Bridge Grant Application – Resolution No. 03-____
 - 3.5 Approve Intergovernmental Agreement between the City of Tigard and Clean Water Services and Authorize the City Manager to Sign
 - 3.6 Approve Intergovernmental Agreement between the City of Tigard and Multnomah County for Mosquito Control Services and Authorize the City Manager to Sign
 - 3.7 Local Contract Review Board:
 - a. Award Contract for the Construction of the Durham Road Traffic Signalization at 98th Avenue Project
 - b. Award Contract for Appraisal and Land Acquisition Services for the Walnut Street and SW 121st Avenue Improvement Project
 - c. Authorize the Purchase of a 16-Foot Mower from Machinery Components Company, Inc.
 - d. Authorize the Purchase of a Volvo 10 Yard Dump Truck
 - *Consent Agenda - Items Removed for Separate Discussion: Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council has voted on those items which do not need discussion.*
4. APPROVE COUNCIL GOALS FOR 2003
 - a. Staff Report: Administration Staff
 - b. Council Discussion
 - c. Council Consideration: Motion to approve the Council Goals for 2003 as presented.
 5. AFFORDABLE HOUSING FEE PRESENTATIONS
 - a. Staff Report: Community Development Staff
 - b. Council Discussion
 - c. Council Consideration: Motion to approve the request from Community Partners for Affordable Housing (CPAH) for Housing Fee Assistance and authorize up to \$4,500 in fee reimbursement, with the actual amount to be determined based on the eventual fees and charges assessed.
 6. AUTHORIZE SALE OF SURPLUS PROPERTY LOCATED AT 13230 SW 154TH AVENUE (CLUTE PROPERTY) USING A REAL ESTATE BROKER
 - a. Staff Report: Finance Staff
 - b. Council Discussion
 - c. Council Consideration: Resolution No. 03-____

7. COUNCIL LIAISON REPORTS

8. NON AGENDA ITEMS

9. EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(3), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

10. ADJOURNMENT

\\TIG333\USR\DEPTS\ADM\CATHY\CCA\030128.DOC

AGENDA ITEM # _____
FOR AGENDA OF January 28, 2003

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Final review of designs for new library

PREPARED BY: Margaret Barnes DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Final review of designs for new library.

STAFF RECOMMENDATION

Staff recommends that the Council review the results of the design development stage.

INFORMATION SUMMARY

On May 21, 2002, Tigard voters passed a \$13 million bond measure for the construction of a new library of approximately 47,000 square feet. This amount will pay for land acquisition, the design, construction and furnishing of the new library, parking and related street improvements. The site of the new library is a 14.7-acre property located along Hall Boulevard near O'Mara Street.

During the past two months, SRG Partnership has worked closely with staff and the public to further refine the design for the new library. Since the Council's approval of the schematic designs in December, the architects have met with several groups of library and city staff to hone the details of the library's design. Each public and work area has been examined in detail to identify needs, functions and uses and designed accordingly.

At this meeting staff will present the final designs to the Council for review. The next step in the construction process will be to develop blueprints and other construction documents. Groundbreaking is scheduled for Saturday, May 17 with construction to begin in June.

OTHER ALTERNATIVES CONSIDERED

None

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Goal #3: Adequate facilities are available for efficient delivery of life-long learning programs and services for all ages.

ATTACHMENT LIST

FISCAL NOTES

N/A

MINUTES
TIGARD CITY COUNCIL MEETING
November 26, 2002

Mayor Griffith called the meeting to order at 6:30 p.m.

Council Present: Mayor Griffith; Councilors Dirksen, Moore, and Scheckla.

STUDY SESSION:

> UPDATE ON URBAN SERVICES AGREEMENT (USA) REQUIRED BY
SENATE BILL 122

Community Development Director Jim Hendryx introduced this item. Mr. Hendryx advised Senate Bill 122 requires counties to coordinate service provider agreements for areas that may be annexed and to identify who the ultimate service provider will be for the area. Such an agreement is a requirement of proceeding with the annexation plan.

A discussion regarding the condition, maintenance, and jurisdiction of area roads ensued.

Mr. Hendryx commented Tigard would be one of the first cities to sign the agreement. Beaverton and Hillsboro will be entering into similar agreements. Mr. Hendryx noted this USA is separate and in addition to the existing USA. Unlike the existing USA, the current agreement is related to the eventual annexation of the area and will be in effect indefinitely.

The Council discussed the agencies which were listed as parties to the agreement.

Mr. Hendryx stated the agreement would be ready for the Council's consideration at its December 10, 2002 meeting.

> DISCUSSION OF THE DOWNTOWN TASK FORCE

The Council expressed concern that the resolution they would be considering this evening was more restrictive in terms of timelines and tasks than they had envisioned. Mr. Monahan proposed additional language to address the Council's concerns. The resolution was revised.

- ADMINISTRATIVE ITEMS:

- The agenda was revised to include the discussion of the Downtown Task Force in study session and an executive session.
- A map detailing city limits was distributed to the Council.
- County-wide election results were distributed. City Manager Monahan noted the Washington County Cooperative Library Services local operating levy was defeated by 600 votes. Tigard voters did not support this measure. The county exhibition center was rejected throughout the county. Election results are on file in the City Recorder's Office.
- The Council was reminded about airport shuttle service for the NLC Conference.
- Mr. Monahan mentioned there may be people interested in testifying about item 5, the Skate Park Facility Design. He suggested the Council may want to consider this item prior to other items on the agenda.

EXECUTIVE SESSION:

- > The Tigard City Council went into Executive Session at 7:03 p.m. to discuss current and potential litigation and under ORS 192.660(1h).

EXECUTIVE SESSION recessed at 7:12 p.m.

STUDY SESSION resumed at 7:12 p.m.

- > The Council discussed public testimony regarding agenda item 5. It was noted this item was not a public hearing and testimony should be limited to comments regarding the skate park facility design.

STUDY SESSION recessed at 7:17 p.m.

1. BUSINESS MEETING

- 1.1 The meeting of the Tigard City Council & Local Contract Review Board was called to order by Mayor Griffith at 7:36 p.m.
- 1.2 Council Present: Mayor Griffith, Councilors Dirksen, Moore, and Scheckla
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports – None
- 1.5 Call to Council and Staff for Non-Agenda Items

Note: Item 5 –Skate Park Facility Design - was heard at this time

2. VISITOR'S AGENDA: No visitors testified.

See Item 5 for those who signed visitor's agenda and testified regarding the Skate Park.

3. CONSENT AGENDA:

Motion by Councilor Moore, seconded by Councilor Scheckla, to approve the Consent Agenda as follows:

3.1 Approve Council Minutes for October 29, 2002

The motion was approved by a unanimous vote:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Scheckla	-	Yes

4. CONSIDER ADOPTING THE WASHINGTON SQUARE REGIONAL CENTER FUNDING STRATEGY

- a. Community Development Director Jim Hendryx introduced Associate Planner Julia Hajduk and described how the Long Range Planning Division was developing detailed work programs covering financing, parks and open spaces, transportation demand management, and stormwater relating to the Washington Square Regional Center Plan. This discussion addresses the first work program, financing.

Ms. Hadjuk gave a PowerPoint presentation. Her presentation is on file with the City Recorder's office.

- b. Councilor Dirksen verified the Funding Strategy is conceptual in nature. City Manager Monahan stated the Strategy directs staff to research three aspects of funding: existing fees, new fees, and urban renewal. Council will be asked to give consideration to specific funding decisions at a later date when more detailed information is available.

Mr. Hendryx asserted the Funding Strategy will serve as a communication tool with Beaverton and Washington County. He confirmed neither of these jurisdictions have approved their regional center plans, but plans are scheduled on their work programs.

Councilor Scheckla reminded the Council urban renewal required voter approval per Tigard's Charter. Discussion of the procedure to implement urban renewal ensued.

In response to a question from Councilor Scheckla, Mr. Hendryx reported Tigard has established the boundaries of its jurisdiction for the Regional Center. The county and Beaverton will establish boundaries when they go through the process of adopting their plans.

Councilor Scheckla inquired about an additional commuter rail station in Tigard. Mr. Hendryx explained a station originally planned north of Scholls Ferry Road in Beaverton will now be constructed in Tigard, just south of Scholls Ferry Road. Possible benefits of the additional Tigard station were discussed briefly.

- c. Motion by Councilor Dirksen, seconded by Councilor Moore, to adopt Resolution No. 02-71

RESOLUTION NO. 02-71 – A RESOLUTION ADOPTING THE WASHINGTON SQUARE REGIONAL CENTER FUNDING STRATEGY

The motion was approved by a unanimous vote:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Scheckla	-	Yes

5. PRESENTATION ON SKATE PARK FACILITY DESIGN

At the opening of this agenda item, Mayor Griffith reminded the audience that testimony should be limited to comments regarding the skate park facility design.

- a. Parks Manager Dan Plaza introduced this item and indicated he was seeking Council approval of the skate park facility design. Mr. Plaza described the process involved in developing the design, various phases of the design, and cost estimates. Mr. Plaza added the design has "street features" was "kid driven." The design has been reviewed and approved by two of the city's insurance representatives.
- b. Mayor Griffith confirmed BMX bikes will also be able to use the park, and the design could be adapted to any location.

In response to a question from Councilor Dirksen, Tyler VanDomelen, an audience member, described how the bowl design functions as a half-pipe.

Rich Carlson, Chairperson of the Skate Park Task Force, commented how the design was the result of the kids' input. He encouraged the kids to come up with a fresh and progressive design, in essence to create their ideal skate park. Mr. Carlson asked the Council to hear comments from some of the kids who had worked on the skate park design.

Ralph Anzellotti, 11942 SW 113th Place, Tigard, inquired about wetland impacts, sidewalks, noise barriers, fencing, etc. Councilor Moore interjected that when a potential site is identified, the construction of the park will be subject to the same process as any other development. Site-specific issues such as the ones mentioned by Mr. Anzellotti would be addressed at that time. Mr. Anzellotti proposed round-the-clock site supervision be included as part of the design. Councilor Moore reiterated the Council was only considering the skate park design and once a potential site was identified, there would be opportunities for site-related public comments. There was a

brief discussion regarding other skate parks and residential supervision. City Manager Monahan inquired whether the house used for residential supervision of the Newberg skate park was in place before the skate park was created.

Steve Andrews, 12064 SW 113th Place, Tigard, concurred with Mr. Anzellotti's request for 24-hour-a-day supervision at the park. He stated the house used for residential supervision in Newberg existed prior to the skate park. He continued by saying in Newberg, a parks department employee supervises the site during the day. Mr. Andrews suggested without such supervision, the skate park could become a problem area. He encouraged the Council to consider supervision as part of the skate park design.

Tyler VanDomelem, 15830 SW Colony Drive, Tigard, discussed the skate park design and how the groups' vision and feedback was incorporated into the design by the consultants. Mr. VamDomelen described some of the features of the park, and stated the group had done a good job on the design.

Michael Layoun, 13792 SW Leahy Terrace, Tigard, testified he loves the skate park design. Others who have seen the design share his enthusiasm. He pointed out the design combines ramp and street features. He added this skate park would be one of the best in the area.

Jacob Farrier, 11565 SW 90th Avenue, stated he was a skateboarder and he described the obstacles in the design. He asserted the design was totally unique, unlike any other park in Oregon.

Sam Carlson, 11475 SW Venus Court, remarked he liked how the design contained street features. He added most skate parks are composed of vertical features.

Greg Nicholson, 14120 SW 97th Place, Tigard, explained how some features of the park were adjustable to accommodate various skill levels of skaters.

Zach Leary, Richard Peloquin, and Lily Peloquin had signed the visitor's agenda, but subsequently declined to speak.

Sue Beilke, 11755 SW 114th Pl., Tigard, inquired about the cost of the architect. Mr. Plaza responded the architect was paid \$12,000 from city

park and recreation funds. Ms. Beilke commended the kids for their work and enthusiasm, but expressed concern over the cost and size of the skate park. She stated the design was too ambitious and she would rather see money used for other programs, such as school programs.

Councilor Moore commented the park was expected to be funded through donations. Mr. Plaza added city funds were available should more design work be needed.

Michael Layoun and Tyler VanDomelen described how more advanced skateboarders help beginners. Mr. VanDomelen expressed concern about overcrowding should the size of the park be scaled back. Mayor Griffith remarked the donations would dictate the size of the park. Mr. Layoun described his dedication to getting the park built.

Rich Carlson advised the Council both Newburg and Tualatin indicated they would build larger skate park facilities if they had it to do over again. Mr. Carlson discussed fund raising strategies. He did not rule out a request for a contribution for the city. He talked about the need for the park and said it was appropriate for the city to embark on a project of this scale.

Nick Wilson, Councilor-elect, 12573 SW Winterlake Dr., inquired about constructing the project in phases and how the phases would be transitioned. Mr. Wilson suggested initial phases should look like a finished product, since subsequent phases may or may not become a reality. He continued by asking that drainage and the depth or shallowness of the site be taken into account.

- c. Motion by Councilor Moore, seconded by Councilor Dirksen, to accept the Conceptual Master Plan for the Skate Park.

City Manager Monahan asked the Council to clarify whether it wanted to include any supervision criteria as a part of the Master Plan. Councilor Moore stated this type of stipulation was premature and should be considered later in the process when a site had been identified and the Council was ironing out the details of the park. Mayor Griffith concurred.

The motion was approved by a unanimous vote:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes

Councilor Moore - Yes
Councilor Scheckla - Yes

Note: The Council returned to Item 2 – Visitor's Agenda- at this time

6. CONSIDER FORMING THE DOWNTOWN TASK FORCE AND APPOINTING MEMBERS TO THE TASK FORCE

- a. Community Development Director Jim Hendryx introduced this item. He stated the idea behind the Task Force was to use the downtown commuter rail station as a catalyst for other improvements. Mr. Hendryx noted the resolution under consideration had been revised in study session, and proposed changes to the resolution were outlined.
- b. Councilor Dirksen, liaison to the downtown group, recommended approval of the resolution saying it was consistent with the direction the Council wished to go.

Mayor Griffith described his recent opportunity to travel on the commuter rail train. He stated the rail cars were plush and the 45 mph ride was smooth. He was impressed.

Mr. Hendryx read the names of the Task Force appointees from the resolution and described their backgrounds. The group meets in Town Hall on the third Thursday of the month from 6:30 to 8:30 p.m. The public is encouraged to attend meetings. Mr. Hendryx noted traffic analysis, circulation needs and commuter rail station design had been discussed at the last meeting. Mr. Hendryx described how the group had taken photographs of the commuter rail line and possible station features from other cities, then voted for their preferences and identified the key components they would like to see incorporated into the Tigard station. Mr. Hendryx concluded by saying that ultimately a design package would come back to the Task Force and then general design guidelines would be presented to the Council.

- c. Motion by Councilor Scheckla, seconded by Councilor Moore, to adopt Resolution No. 02-72 as amended

RESOLUTION NO. 02-72 – A RESOLUTION TO FORM THE
DOWNTOWN TASK FORCE AND APPOINT MEMBERS TO THE TASK
FORCE

The motion was approved by a unanimous vote:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Scheckla	-	Yes

7. COUNCIL LIAISON REPORTS: None.
8. NON AGENDA ITEMS: None.
9. EXECUTIVE SESSION: No Executive Session was held.
10. BUSINESS MEETING adjourned at 9:02 p.m.

Attest:

Greer A. Gaston, Deputy City Recorder

Mayor, City of Tigard

Date: _____

\\TIG333\USR\DEPTS\ADMCATHY\CCM021126.DOC

COUNCIL MINUTES
TIGARD CITY COUNCIL MEETING
December 10, 2002

Mayor Griffith called the meeting to order at 6:32 p.m.

Council Present: Mayor Griffith, Councilors Dirksen, Moore, and Scheckla

- EXECUTIVE SESSION: The Tigard City Council went into Executive Session at 6:32 p.m. to discuss labor negotiations under ORS 192.660(1d).

Executive Session concluded at 7 p.m. ; Council convened into the Study Session.

- STUDY SESSION
 - REVIEW OF THE METROPOLITAN AREA COMMUNICATIONS COMMISSION INTERGOVERNMENTAL AGREEMENT (See item 4.3 on the consent agenda)

Assistant to the City Manager Newton reviewed the proposed changes to the Intergovernmental Agreement. The proposed changes are summarized in the Council Agenda Item Summary, which is on file in the City Recorder's office.

- ADMINISTRATIVE ITEMS
 - The Council goal-setting meeting is scheduled for January 6, 2002. It will begin at noon and be held in the Red Rock Creek Conference Room.
 - The December 17, 2002, Council meeting will be a workshop and a business meeting. (Note: No meeting will be held on December 24, 2002)
 - Council and staff liaison matrix was distributed to the City Council.
 - The street maintenance fee discussion on public process results is scheduled for the December 17, 2002, City Council meeting. Letters received since the compilation of the Council packet materials will be forwarded to the Council in its December 13 Council newsletter.
 - Council decided it would consider the request from the League of Oregon Cities for a voluntary contribution toward PERS-related projects during the non-agenda portion of tonight's business agenda.
 - Council members will advise the Mayor if they are interested in serving on the Public Safety Coordinating Council.

- Mayor Griffith gave a brief report on his attendance at the National League of Cities. He asked those who attended to send materials to staff that they collected at the conference that would be of benefit to the City.
- Councilor Scheckla reported to the City Manager that a number of street lights were not working along Pacific Highway.
- The new Haggens grocery store is scheduled to open in February.

Council meeting recessed at 7:21 p.m.

1. BUSINESS MEETING

- 1.1 Mayor Griffith called the City Council & Local Contract Review Board meeting to order at 7:34 p.m.
- 1.2 Roll Call: Mayor Griffith, Councilors Dirksen, Moore, and Scheckla
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports: None
- 1.5 Call to Council and Staff for Non-Agenda Items:

City Manager Monahan advised that the Council will consider the request from the League of Oregon Cities about a voluntary contribution for PERS-related projects during the non-agenda portion of the meeting (see Item No. 13).

2. RECOGNITION OF TYLER HOLMGREEN FOR HIS EAGLE SCOUT LEADERSHIP SERVICE PROJECT

Mayor Griffith presented a certificate of completion to Tyler Holmgreen for his Eagle Scout Leadership Service Project near Derry Dell Creek and Pathfinder Trail in Tigard. Mr. Holmgreen thanked several members of staff for their assistance to him on this project.

3. VISITOR'S AGENDA

- Paul Brems, Tigard High School Student Envoy to the City of Tigard, reviewed upcoming leadership events at the high school.
- Cleon Cox III, 12580 SW Ash Avenue, Tigard, Oregon reported concerns about speed humps in general and, in particular, with a speed hump on Frewing Street, which he said was too high. He suggested the City reevaluate the speed hump program. After Council discussion, City Manager Monahan advised he would ask the Engineering Department to evaluate the Frewing speed hump and to review the traffic-calming program.

3. CONSENT AGENDA: Motion by Councilor Scheckla, seconded by Councilor Dirksen, to adopt the Consent Agenda as follows:

- 4.1 Approve Council Minutes for November 12 and 19, 2002
- 4.2 Receive and File:
 - a. Council Calendar
 - b. Tentative Agenda
 - c. Canvass of Votes for Mayor and City Councilor Positions from the November 5, 2002 Election
- 4.3 Approve a Revised Intergovernmental Agreement for the Metropolitan Area Communications Commission – Resolution No. 02 - 73
- 4.4 Appoint Tom Woodruff to the Budget Committee – Resolution No. 02 - 74
- 4.5 Reappoint Scot Sutton and Appoint William “Bill” Haack to the Planning Commission and Appoint Rex Caffal as an Alternate to the Planning Commission – Resolution No. 02 - 75

The motion was approved by a unanimous vote of Council present:

Mayor Griffith:	Yes
Councilor Dirksen:	Yes
Councilor Moore:	Yes
Councilor Scheckla:	Yes

5. UPDATE ON THE NEW TIGARD LIBRARY

Library Director Barnes presented the staff report on this item. During the past month, SRG Partnership has worked closely with staff and the public to revise and refine the schematic designs for the new library. Council was updated on the progress of the plans on November 19. On December 11, schematic designs will be presented to the public and the People’s Choice Arts Awards Contest will be presented to winners. Final schematic designs will be reviewed by the Council on December 17.

6. CONSIDER A RESOLUTION ADOPTING THE LOCAL SERVICE TRANSIT ACTION PLAN

Community Development Director Hendryx introduced this agenda item, which also pertains to a Council goal. Associate Planner Julia Hajduk presented the staff report. Ms. Hajduk reviewed the criteria, weighting and priority ranking of routes. The priority routes are listed in the staff report. Council asked questions regarding how soon changes could be expected for improved or additional bus routes. Ms. Hajduk advised it would probably take more than five years before new routes would be added but changes to hours of service and adding more buses to existing routes might

occur sooner. This plan will serve as a guide for future discussions with Tri Met to work toward increasing ridership on existing services and for the City to identify necessary actions to prepare for future ridership opportunities.

Motion by Dirksen, seconded by Councilor Moore, to adopt Resolution No. 02-76.

RESOLUTION NO. 02-76 – A RESOLUTION ADOPTING THE LOCAL SERVICE TRANSIT ACTION PLAN.

The motion was approved by a unanimous vote of Council present:

Mayor Griffith:	Yes
Councilor Dirksen:	Yes
Councilor Moore:	Yes
Councilor Scheckla:	Yes

7. CONSIDER A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE URBAN SERVICE AGREEMENT RELATED TO SENATE BILL 122 ON BEHALF OF THE CITY

Community Development Director Hendryx introduced this agenda item and presented the staff report. Senate Bill 122 requires counties to coordinate service provider agreements for urbanizable areas to identify who the ultimate service provider will be. A signed urban services agreement is also a requirement for proceeding with an annexation plan. Washington County has been working with a SB122 Management Oversight Committee for several years to develop agreed upon principles so that all urban services agreements would be similar in format and content.

Motion by Councilor Moore, seconded by Councilor Dirksen, to adopt Resolution No. 02-77.

RESOLUTION NO. 02-77 – A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE URBAN SERVICE AGREEMENT ON BEHALF OF THE CITY OF TIGARD.

The motion was approved by a unanimous vote of Council present:

Mayor Griffith:	Yes
Councilor Dirksen:	Yes
Councilor Moore:	Yes
Councilor Scheckla:	Yes

8. CONSIDER A RESOLUTION ENDORSING PROJECTS FOR THE "04-07 METRO TRANSPORTATION IMPROVEMENT PROGRAM (MTIP)" APPLICATION AND AUTHORIZING THE APPLICATION

Community Development Director Hendryx introduced this agenda item and presented the staff report. Council discussed the projects to be submitted as the City's priority projects for the 04-07 MTIP and agreed to endorse those listed in Exhibit A to the proposed resolution.

Motion by Councilor Dirksen, seconded by Councilor Moore, to adopt Resolution No. 02-78.

RESOLUTION NO. 02-78 – A RESOLUTION OF THE TIGARD CITY COUNCIL ENDORSING PROJECTS FOR THE 04-07 METRO TRANSPORTATION IMPROVEMENT PROGRAM

The motion was approved by a unanimous vote of Council present:

Mayor Griffith:	Yes
Councilor Dirksen:	Yes
Councilor Moore:	Yes
Councilor Scheckla:	Yes

9. CONSIDER A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT TO CONDUCT A JOINT REVIEW OF QWEST AND VERIZON FRANCHISE FEES PAID AND TO COLLECT BASE DATA

Finance Director Prosser presented the staff report on this item. Staff from several cities within the Qwest and Verizon service areas have been meeting for the past several months to discuss the possibility of coming together to conduct a joint audit of franchises to ensure correct amounts of franchise fees due are being received. Staff members feel that a joint audit will have benefits for participating cities and will also ease the audit process for the company being audited. The City budgeted \$27,500 for one franchise audit in FY 2002-03. The total cost to Tigard for this project is expected to be \$25,010. Mr. Prosser said this could be a multi-year process.

Motion by Councilor Scheckla, seconded by Councilor Dirksen, to adopt Resolution No. 02-79.

RESOLUTION NO. 02-79 – A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT TO CONDUCT A JOINT REVIEW OF QWEST AND VERIZON FRANCHISE FEES PAID AND TO COLLECT BASE

DATA NECESSARY TO A DETERMINATION OF THE FUTURE BASIS OF
CALCULATION OF QWEST AND VERISON FRANCHISE FEES.

The motion was approved by a unanimous vote of Council present:

Mayor Griffith:	Yes
Councilor Dirksen:	Yes
Councilor Moore:	Yes
Councilor Scheckla:	Yes

10. INFORMATIONAL PUBLIC HEARING – CONSIDER A RESOLUTION
FINALIZING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 23 (SW
O'MARA STREET)

- a. Mayor Griffith opened the public hearing.
- b. Project Engineer Greg Berry presented the staff report for the finalization of Sanitary Sewer Reimbursement District No. 23 established to install sewers in SW O'Mara Street at Chelsea Loop. Mr. Berry also recounted the history of the sewer reimbursement program.

Mr. Berry identified for Council an additional lot that will be included in the final engineer's report on this District.

- c. Staff recommended that the Council adopt the proposed resolution to finalize the formation of this sanitary sewer reimbursement district.
- d. Public Testimony: None.
- e. Mayor Griffith closed the public hearing.
- f. Motion by Councilor Moore, seconded by Councilor Scheckla, to adopt Resolution No. 02-80.

RESOLUTION NO. 02-80 – A RESOLUTION FINALIZING SANITARY
SEWER REIMBURSEMENT DISTRICT NO. 23 (SW O'MARA STREET).

The motion was approved by a unanimous vote of Council present:

Mayor Griffith:	Yes
Councilor Dirksen:	Yes
Councilor Moore:	Yes
Councilor Scheckla:	Yes

11. INFORMATIONAL PUBLIC HEARING - CONSIDER A RESOLUTION FINALIZING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 25 (SW CARMEN STREET)

- a. Mayor Griffith opened the public hearing.
- b. Project Engineer Greg Berry presented the staff report for the finalization of Sanitary Sewer Reimbursement District No. 25 established to install sewers in SW Carmen Street. The project cost was 25% more than the estimated amount because bids were higher than expected and an additional \$13,000 was paid to the contractor because some of the sewer line had to be placed deeper than originally planned.
- c. Staff recommended that the Council adopt the proposed resolution to finalize the formation of this sanitary sewer reimbursement district.
- d. Public Testimony: None.
- e. Mayor Griffith closed the public hearing.
- f. Motion by Councilor Scheckla, seconded by Councilor Dirksen, to adopt Resolution No. 02-81.

RESOLUTION NO. 02-81 – A RESOLUTION FINALIZING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 25 (SW CARMEN STREET).

The motion was approved by a unanimous vote of Council present:

Mayor Griffith:	Yes
Councilor Dirksen:	Yes
Councilor Moore:	Yes
Councilor Scheckla:	Yes

12. COUNCIL LIAISON REPORTS: None.

13. NON AGENDA ITEMS:

City Manager Monahan referred to a request from the League of Oregon Cities for Tigard's participation in funding for a League-led effort to come up with a solution to the PERS problem. The League has requested that each city contribute \$10-12 per active PERS-covered employee. Since Tigard has only police personnel participating

in the PERS program, the total number of Tigard active PERS-covered employees is 54; thus, the maximum assessment requested for Tigard is \$648.

Council members would like to be kept informed and to be asked for input about any proposals the League develops.

Motion by Councilor Moore, seconded by Councilor Dirksen, to authorize the commitment of \$648 from the City of Tigard for the voluntary assessment request to the League of Oregon Cities.

The motion was approved by a unanimous vote of Council present:

Mayor Griffith:	Yes
Councilor Dirksen:	Yes
Councilor Moore:	Yes
Councilor Scheckla:	Yes

14. EXECUTIVE SESSION: Not held.

15. ADJOURNMENT: 9:20 p.m.

Attest:

Catherine Wheatley, City Recorder

Mayor, City of Tigard

Date: _____

COUNCIL MINUTES
TIGARD CITY COUNCIL MEETING
December 17, 2002

1. WORKSHOP MEETING

- 1.1 Mayor Griffith called the City Council & Local Contract Review Board Meeting to Order at 6:37 pm.
- 1.2 Roll Call: Mayor Griffith, Councilors Dirksen, Moore, and Scheckla
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports: None.
- 1.5 Call to Council and Staff for Non-Agenda Items: None.

2. CERTIFICATE OF RECOGNITION – COUNCILOR KEN SCHECKLA

Mayor Griffith presented a certificate to Councilor Scheckla in recognition of his years of service on the Tigard City Council. Councilor Scheckla thanked the citizens, Council, staff, and volunteers for their efforts. He referred to the accomplishments of the boards and committees that he served on during his tenure and noted his disappointment that the long-term water source had not yet been secured for the City. He encouraged the Council continue to seek progress while at the same time looking out for the established businesses and residents.

The Mayor and Councilors Dirksen and Moore expressed thanks and well wishes to Councilor Scheckla.

The Mayor noted that this would have been Mayor Nicoli's last meeting for his second term of office. Mayor Nicoli passed away in June 2000. Mayor Griffith referred to Mayor Nicoli's interest in youth and announced that the dedication of the Nicoli Brothers Ballfields at Cook Park is scheduled for mid-June 2003.

3. DISCUSSION OF STREET MAINTENANCE FEE PUBLIC PROCESS RESULTS

Engineering Manager Rager introduced this agenda item and gave a brief history of the public process to date. Mr. Rager reviewed the staff report. He referred to letters sent to the Council regarding a street maintenance fee for Council's review. (A copy of these letters are on file in the City Recorder's office.)

Transportation Financing Strategies Task Force (TFSTF) members Beverly Froude, Paul Owen, and Joe Schweitz were present. The Task Force continues to recommend that the City move forward with implementing the Street Maintenance Fee with an effective date no sooner than July 1, 2003.

Task Force Member Owen responded to a question for clarification from Mayor Griffith and advised that the proposed maintenance fee would also pay for the maintenance and liability (insurance) costs for sidewalks along arterial streets including Durham Road. Task Force Member Schweitz said that this fund, if approved, would be used for maintenance only.

There was discussion on the declining amount received by the City from the gas tax fund. A street maintenance fee might free up dollars so that gas tax dollars could be stretched further. City Attorney cautioned that fee dollars cannot be earmarked to replace tax dollars.

Councilor Scheckla asked if the fee needed to be included as part of the water bills. City Attorney said that how the fee is collected is an administrative choice.

Council discussed the charges to businesses and residences. Mr. Rager reviewed estimated charges (based on a type of use/trip generation calculation) for businesses. City Attorney Ramis said that once a specific proposal is in ordinance form, his office will review to determine how the "trip generation" calculations are structured.

Council discussion included the debate on tax vs. fee for this matter. City Attorney said his review would include structuring the ordinance to implement a "fee." The City of Eugene recently adopted an ordinance to collect fees for street maintenance.

Council would like some consideration given to a "sunset" clause for any proposed ordinance or an automatic review of the fee on a regular basis.

Councilor Moore noted that after the Council reviews this option the TFSTF will look at the remaining financing options identified for the Tigard transportation system. Numerous options (more than 20) were listed by the Task Force.

Councilor-elect Wilson asked for information on the technical aspects of street maintenance; i.e., what is the nature of pavement deterioration and how is it determined when streets should be replaced?

Mayor Griffith asked if anyone present had comments. An unidentified woman said she moved to Tigard from Tualatin and she also had owned a business in Tualatin. She said that the City of Tualatin has such a fee and she would fully support a fee in Tigard. Mr. Reid Iford presented a copy of a free *Oregonian* newspaper edition he received that contains advertisements from area businesses. He pointed out that a good number of the businesses advertised were grocery stores. He suggested a comparison of how much businesses pay for advertising

(marketing to draw people to their stores) with the amount they would be asked to contribute for a street maintenance fee.

4. DISCUSSION OF URBAN RENEWAL FINANCING FUNDAMENTALS

Community Development Director Hendryx introduced this agenda item, which is a continuation of the introductory discussion on urban renewal issues as a funding tool. Finance Director Prosser discussed the fundamental elements of urban renewal financing principles and a copy of his PowerPoint presentation highlighting key elements of his remarks is on file in the City Recorder's office.

A key question is: Will growth occur in the area designated for an urban renewal district? If growth will occur anyway, then taxing districts will lose the revenue growth from the increased value. If growth would not have occurred, districts will have lost nothing (invest now for a higher return later).

Mr. Prosser noted how Measure 50 has had impact on urban renewal districts. Urban renewal districts, for the most part, have been very successful in Oregon communities.

City Attorney Ramis responded to a question from Councilor Scheckla and confirmed that Tigard's Charter provides that Tigard voters must approve an urban renewal district within the City limits and this includes any proposal for an urban renewal district proposed by Washington County that includes area located within the Tigard city limits.

Council meeting recessed: 8:14 p.m.

Council meeting reconvened: 8:23 p.m.

5. REVIEW FINAL SCHEMATIC DESIGNS FOR THE NEW TIGARD LIBRARY

Library Director Barnes distributed a copy of the final version of the schematic designs prepared by SRG partnership. At the December 11 community meeting, the schematic designs were presented for public reaction. After the schematic designs have been approved, the project will move into the design development stage, which will result in detailed interior and exterior designs.

6. UPDATE ON THE COOK PARK EXPANSION MASTER PLAN PROJECT

Public Works Director Wegner introduced this agenda item. Property Manager Roy presented the staff report. A copy of Mr. Roy's PowerPoint presentation highlighting key elements of his remarks is on file in the City Recorder's office. The overall implementation of the Master Plan is substantially complete.

Dedication of the Nicoli Brothers Fields will be held June 15, 2003.

In response to a question from Councilor Scheckla with regard to allocation of SDC fees, City Manager Monahan explained that SDC fees are not earmarked for expenditure according to area. Each year, projects are prioritized in the capital improvement program and funds are allocated on a project basis.

7. BUSINESS MEETING

8. CONSENT AGENDA: Motion by Councilor Scheckla, seconded by Councilor Dirksen, to approve the Consent Agenda as follows:

8.1 Authorize the City Manager to Sign a Deed Dedicating Additional Right-of-Way along SW Gaarde Street at SW 117th Avenue – Resolution No. 02 - 82

The motion was approved by a unanimous vote of Council present:

Mayor Griffith:	Yes
Councilor Dirksen:	Yes
Councilor Moore:	Yes
Councilor Scheckla:	Yes

9. LOCAL CONTRACT REVIEW BOARD

CONSIDER AWARDING THE CONTRACT FOR ARCHITECTURAL SERVICES TO DEVELOP THE FANNO CREEK PARK MASTER PLAN EXTENSION TO MURASE ASSOCIATES

Public Works Director Wegner introduced this agenda item. Parks Manager Dan Plaza presented the staff report and requested that the Local Contract Review Board award the contract for architectural services to Murase Associates to develop the Fanno Creek Master Plan Extension. Murase Associates was not the low bidder; however, Mr. Plaza explained staff recommends the City retain Murase Associates for this bid award as they did an outstanding job in their interview and demonstrated an excellent grasp of the project. There were two other bidders that submitted lower bids than Murase; however, they did not demonstrate the abilities to handle a unique project such as this one nor were they at the same level as Murase.

Motion by Board Member Moore, seconded by Board Member Scheckla, to award the bid to Murase Associates as recommended by staff.

The motion was approved by a unanimous vote of the Local Contract Review Board Members present:

Board President Griffith:	Yes
Board Member Dirksen:	Yes
Board Member Moore:	Yes
Board Member Scheckla:	Yes

10. COUNCIL LIAISON REPORTS: None.

11. NON AGENDA ITEMS

Councilor Scheckla said he wanted to acknowledge all of the people at the City. He said the current Council has been very productive and had moved the community forward in a positive way. He thanked the citizens of Tigard for the opportunity to serve on City Council. City Manager Monahan thanked Councilor Scheckla for his years of service and support.

12. EXECUTIVE SESSION: Not held.

13. ADJOURNMENT: 9:18 p.m.

Attest:

Catherine Wheatley, City Recorder

Mayor, City of Tigard

Date: _____

I:\ADM\CATHY\CCM021217.DOC

AGENDA ITEM # _____
FOR AGENDA OF January 28, 2003

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Receive and File: Council Goal Update

PREPARED BY: C.Wheatley DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Update on the progress of the Council goals for the fourth quarter of 2002.

STAFF RECOMMENDATION

Receive and file the update.

INFORMATION SUMMARY

Attached are brief summaries of the progress made in the fourth quarter of 2002 on the Council goals developed by the Council in January 2002.

OTHER ALTERNATIVES CONSIDERED

N/A

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Visioning goals are identified throughout the goals and tasks developed by the City Council.

FISCAL NOTES

N/A



Q-4 Final Report 2002 Tigard City Council Goals

GOAL 1—TRANSPORTATION

GOAL 2—PARKS & RECREATION

GOAL 3—DOWNTOWN

GOAL 4—WATER

GOAL 5—GROWTH MANAGEMENT

GOAL 6—LIBRARY

GOAL 7—COMMUNICATION

In consideration of the 2002 Goals, the City Council stated the following:

“The present state of the economy is a concern that could impact the council’s completion of the 2002 Goals. Each of the 2002 Goals could be impacted if the state, federal, or local economic situation results in a decrease in available funds for Tigard operations and projects.”



Engineering/Community Development: Gus/Jim

GOAL 1: TRANSPORTATION

- A. Explore funding sources for transportation needs. Funding for maintenance and capital are needed for the following—
 - 1. Roads
 - 2. Trails/Bicycles
 - 3. Pedestrian Safety (Sidewalks, streetlights, crosswalks)
 - 4. Bridges
- B. Work with Tri-Met to develop intra-city bus service and Park-and-Ride locations.
- C. Work with ODOT on state-funded facilities.

Q-4, December 2002 Update

Goal 1.A.1. Roads

As part of the public awareness effort for the Street Maintenance Fee, the City created a video production that has been airing frequently over the public access channel. This video emphasizes the need for timely maintenance of the City street system, and provides a summary of the benefits that would be achieved with implementation of the proposed Street Maintenance Fee.

The public meeting conducted on November 14, 2002 to discuss the fee with citizens and businesses was attended by approximately 20 people. The results of the extended public process for the fee will be presented for Council discussion on December 17, 2002. The Task Force will recommend that the issue be brought back for full discussion with Council in February or March 2003. The two new Councilors will have assumed office and would be part of that discussion. Council direction will be sought at that time on adoption and implementation of the fee. If the Council direction is to submit the fee for adoption, the ordinance to establish the fee and the resolution to set the fees would most likely be submitted for Council consideration in April 2003. The effective date for implementation of the fee would be set no earlier than July 1, 2003, the beginning of FY 2003-04. This would give the City of Tigard staff sufficient time to set up the fund and do the necessary work to ensure that the amounts can be incorporated on the utility bills without a glitch in the billing process.

The Task Force will be reconstituted to drop some members and add new members that could continue to explore alternative sources of



Q-4, December 2003 Update
Goal 1.A.1. cont'd.

funding for major street improvements. Potential sources could become feasible with the implementation of the Street Maintenance Fee. State gas tax funds freed up by the Fee could be used to float revenue bonds or obtain a loan from the Oregon Infrastructure Bank for the construction of major street projects. Another possibility is the creation of a City Traffic Impact Fee (TIF) to augment the Countywide TIF.

Proposed Wall Street Local Improvement District (LID): The design of Wall Street is well underway. The design consultant, DeHaas and Associates, will submit a 35% report by the end of December 2002. Presentation of the interim report to City Council will be scheduled in February or March 2003. At that time, Council will have the option of deciding if the Preliminary Engineer's Report should be fully completed. If the decision is to continue with the project, the Preliminary Engineer's Report (approximately 60% project design) is expected to be completed in May 2003.

The Metro Priorities 2004-07 funding process has been soliciting projects from various jurisdictions. This is federal funding that is allocated to cities and counties through the Metropolitan Transportation Improvement Program (MTIP). The City will be submitting three projects for funding consideration. Since the widening of Greenburg Road from Washington Square Drive to Tiedeman Avenue has already been approved for preliminary engineering and rights-of-way acquisition, that project will be submitted for construction funding in this latest process. The two other projects are a pedestrian trail through the greenbelt in the Washington Square Regional Center and pedestrian improvements in Tigard Town Center in conjunction with the commuter rail project. Those projects were submitted for Council approval on December 10, 2002. The deadline for the project applications to Metro is December 20, 2002.

Goals 1.A.2. and 3. Trails/Bicycles and Pedestrian Safety

A trail project in the Washington Square Regional Center area is one of the projects submitted for funding consideration under the Metro Priorities 2004-07 funding process. This project would be placed under either the Congestion Mitigation and Air Quality (CMAQ) or Transportation Enhancement categories and would not compete directly with the street modernization projects proposed through the Street Transportation Program category. Pedestrian improvements in the Tigard downtown area have also been submitted as a project in the



Q-4, December 2003 Update
Goals 1.A.2. and 3. cont'd.

Metro solicitation process. These two projects, if funded, would enhance pedestrian movement and safety in both areas. Funding for the projects would not be available until FY 2006-07.

State gas tax funds freed up by the Street Maintenance Fee could be used to construct new sidewalk at key locations, install embedded crosswalk lighting at selected locations, and provide for installation of new street lights on collectors and at critical intersections lacking that lighting. These are all projects that cannot now be programmed because of the lack of funds.

Goal 1.B. Tri-Met

- Council adopted action plan December 10, 2002
- Staff to begin implementation steps which will be an on-going process.

Goal 1.C. Work with ODOT

The Engineering Department will continue to look for opportunities to encourage the upgrading of ODOT facilities such as Hall Boulevard, Highway 217 and Highway 99W. None have been evident since the previous quarterly report.



Q-3, October 2002 Update

Goal 1.A.1. Roads

City Council decided to extend the public process for the Street Maintenance Fee. Extension of the public process would allow more time for citizen awareness of the need for the fee and the benefits that would come from implementation. It would also provide an opportunity for the various businesses in Tigard to provide more input into the process.

As part of the public awareness effort, the City will be creating a video production to air periodically over the public access channel. This video would emphasize the need for timely maintenance of the City street system, and provide a summary of the benefits that would be achieved with implementation of the proposed Street Maintenance Fee. In addition, a public meeting has been scheduled for November 14, 2002 to discuss the fee with citizens and businesses. Council discussion of the results of the meeting is scheduled for the Council meeting on December 17, 2002. The Task Force met on October 10, 2002 to discuss the video production and to establish roles for the Task Force members in the November meeting and at the Council discussion on December 17th.

Any action on implementation of the fee would most likely be scheduled for early 2003. If Council does approve implementation, the effective date for the fee would be set several months after Council action. This would give the City of Tigard staff sufficient time to set up the fund and do the necessary work to ensure that the amounts can be incorporated on the utility bills without a glitch in the billing process.

The Task Force will continue to explore alternative sources of funding for major street improvements. Potential sources could become feasible with the implementation of the Street Maintenance Fee. State gas tax funds freed up by the Fee could be used to float revenue bonds or obtain a loan from the Oregon Infrastructure Bank for the construction of major street projects. Another possibility is the creation of a City Traffic Impact Fee (TIF) to augment the Countywide TIF. The Task Force will be reconstituted to drop some members and add new members that could aid in the review of alternative sources of funds.

Proposed Wall Street Local Improvement District (LID): The City has selected DeHaas and Associates to provide design Wall Street and provide the Preliminary Engineer's Report needed to determine the feasibility of forming the LID and constructing the improvements. The consultant will provide the design information to the New Library consultants for preparation of the site plan and other documents needed for the Land Use Application. Discussions have been conducted with



Q-3, October 2002 Update
Goal 1.A.1. cont'd.

Oregon Department of Transportation regarding approval of the Wall Street intersection at the southerly boundary of the library project. Both the Wall Street LID and New Library projects are well underway at this time.

The Metro Priorities 2004-07 funding process is now soliciting projects from various jurisdictions. This is federal funding that is allocated to cities and counties through the Metropolitan Transportation Improvement Program (MTIP). The City will be submitting a street project for consideration as part of the process. Since the widening of Greenburg Road from Washington Square Drive to Tiedeman Avenue has been already been approved for preliminary engineering and rights-of-way acquisition, that project will be submitted for construction funding in this latest process. The deadline for the project applications is December 20, 2002.

Goals 1.A.2 and 3.

A trail project in the Washington Square Regional Center area is being considered for submittal in the Metro Priorities 2004-07 funding process. This project would be under either the Congestion Mitigation and Air Quality (CMAQ) or Transportation Enhancement categories and would not compete directly with the street modernization projects proposed through the Street Transportation Program category.

Pedestrian improvements in the Tigard downtown area are also being considered for submittal as a project in the Metro solicitation process. The extent of those improvements will be based on the Tigard Downtown Traffic Study being performed by DKS Associates as part of the look at the potential impact of the Commuter Rail in the downtown area. The draft study has already been completed and is now being reviewed by City staff. The pedestrian improvements for submittal will be selected during the next 30 days.

State gas tax funds freed up by the Street Maintenance Fee could be used to construct new sidewalk at key locations, install embedded crosswalk lighting at selected locations, and provide for installation of new street lights on collectors and at critical intersections lacking that lighting. These are all projects that cannot now be programmed because of the lack of funds.



Q-3, October 2002 Update

Goal 1.B.

The Engineering Department continued to work with the Community Development Department in providing information for preparation of the Transit Action Plan to establish intra-city transit service and for enhancement of service on existing routes.

Goal 1.B. Tri-Met

The following are steps and timelines for adoption and implementation of the Tri-Met Action Plan. Adoption of the Tri-Met Action Plan provides the foundation for future communications with Tri-Met establishing service needs for specific populations and life needs.

1. March 2002 Council Workshop meeting reviewing and prioritizing community service needs.
2. August 2002 Council adoption of Tri-Met Action Plan.
3. December 2002 Council review of City's Tri-Met Action Implementation Program.
4. The Implementation Program components:
 - timeframes for funding-identified transit priorities
 - specific actions necessary to achieve Council goals.

Goal 1.C.

The Engineering Department will continue to look for opportunities to encourage the upgrading of ODOT facilities such as Hall Boulevard, Highway 217 and Highway 99W. None have been evident since the previous quarterly report.



Q-2, July 2002 Update

Goal 1.A.1. Roads

The Transportation Financing Strategies Task Force members and staff have met with two major businesses in Tigard regarding the potential implementation of the Street Maintenance Fee. John Wiitala, property manager for PacTrust, understands the need for maintenance of the City streets and fully supported the implementation of the Street Maintenance Fee to include the ROW and sidewalk maintenance elements. Jack Reardon of Washington Square properties expressed concerns about the fees and could not support fees that would be passed on to the tenants on those properties. He felt the residents should bear a greater portion of the load with a corresponding reduction on the businesses. A point that he brought up in the discussions is that Meier and Frank, Sears and TGIF own the properties their businesses are on and should be billed separately. This reduces the total amount that had been computed for Washington Square I and II.

Many of the larger businesses in Tigard do not have corporate offices in the state, and the local representatives typically are not authorized to make policy decisions for those businesses. Information packets, with cover letter giving notice of the potential implementation of the fee and requesting input, will be mailed out to those businesses.

The Task Force met on June 20, 2002, and decided to stay with the fees as recommended to Council in the Street Maintenance Fee Study Report. The fees are based on trip generation rates that are nationally recognized and accepted. Any changes to the fees calculated using these rates would be purely arbitrary.

The Task Force will meet sometime in the fall to explore alternative sources of funding for major street improvements. Potential sources could become feasible with the implementation of the Street Maintenance Fee. State gas tax funds freed up by the Fee could be used to float revenue bonds or obtain a loan from the Oregon Infrastructure Bank for the construction of major street projects. Another possibility is the creation of a City Traffic Impact Fee (TIF) to augment the Countywide TIF. Because the Task Force has been meeting for about a year and a half, the members expressed an interest in the Task Force being reconstituted to drop some members and add new members that could aid in the review of alternative sources of funds. This will be addressed in the fall when the Task Force meets again.

Proposed Wall Street Local Improvement District (LID): A major property owner in the area between Hall Boulevard and Hunziker Street had expressed strong interest in forming an LID to construct a road connecting Hall Boulevard with Hunziker Street. This proposed new street is shown as a future street improvement in the recently adopted Tigard Transportation System Plan. Council has directed the preparation of a Preliminary Engineer's Report to objectively review all relevant aspects of the project and report to Council on the feasibility of proceeding the formation of the LID to construct the project. A design consultant will be retained to perform the study and prepare the report. The Preliminary Engineer's Report is expected to be completed by March or April of 2003.



Q-1, April 2002 Update

Goal 1.A.2-3. Trail/Bicycles and Pedestrian Safety

State gas tax funds freed up by the Street Maintenance Fee could be used to construct new sidewalk at key locations, install embedded crosswalk lighting at selected locations, and provide for installation of new street lights on collectors and at critical intersections lacking that lighting. These are all projects that cannot now be programmed because of the lack of funds.

Goal 1.B. Work with Tri Met

The Engineering Department continued to work with the Community Development Department in providing information to support requests to Tri-Met for intra-City service, and for enhancement of service on existing routes.

Goal 1.B. Work with Tri Met

- Continued to develop and refine transit action plan.
- Met with Tri-Met and Westside Transportation Alliance to discuss program plan.
- Waiting for low-income census data.
- Planning to go to City Council work session in September to present draft transit action plan.

Goal 1.C. Work with Oregon Department of Transportation (ODOT)

The Engineering Department will continue to look for opportunities to encourage the upgrading of ODOT facilities such as Hall Boulevard, Highway 217 and Highway 99W. None have been evident since the previous quarterly report.

Goal 1.A.1. Roads

The Transportation Financing Strategies Task Force met on February 21st and approved the draft Street Maintenance Fee Study Report with modifications. The Task Force recommendations were presented to City Council at the March 19, 2002 Workshop Session. The Task Force recommended meetings with major businesses that would be the most affected before Council decides on whether or not to implement the fee. After presentation and discussion, Council directed staff and the Task Force to conduct meetings with those businesses to explain all relevant aspects of the fee and to answer any questions that may arise. This process will occur during the next few months.

The following are the next steps for possible implementation of the Street Maintenance Fee—

- April through June 2002: Meetings with some of the commercial entities that would be charged the most based on our fee calculations
- July 2002: Bring back Street Maintenance Fee to Council for further discussion and direction
- August/September 2002: Take action to implement fee if that is the Council direction.



Q-1, April 2002 Update

Goal 1.A.1. Roads cont'd.

The Task Force will continue to meet this calendar year to explore alternative sources of funding for major street improvements. Potential sources could become feasible with the implementation of the Street Maintenance Fee. State gas tax funds freed up by the Fee could be used to float revenue bonds or obtain a loan from the Oregon Infrastructure Bank for the construction of major street projects.

Goal 1.A.2-3.

State gas tax funds freed up by the Street Maintenance Fee could be used to construct new sidewalk at key locations, install embedded crosswalk lighting at selected locations, and provide for installation of new street lights on collectors and at critical intersections lacking that lighting. These are all projects that cannot now be programmed because of the lack of funds.

Goal 1.B.

Provided information on potential bus stops and existing infrastructure at those locations to the Community Development Department for the review of potential transit service in the City. Will continue to work throughout the calendar year with the Community Development Department in providing information to support requests to Tri-Met for intra-City service, and for enhancement of service on existing routes.

Transit Action Plan inventory and preliminary prioritization is complete. Waiting for census data on low-income population to finalize prioritization and analysis. Will be discussing Action Plan and program development with Tri-Met. Anticipate bringing Action Plan to Council for review and adoption in late summer.

Goal 1.C.

Notified ODOT of observed discrepancies or problems within the state facilities as follows:

- Reported faded striping on the Highway 217 overpass on Greenburg Road to ODOT. ODOT responded by stating the work would be added to their striping program. The work has not yet been performed. We will follow up with ODOT verbally and in writing until the problem is resolved.
- Requested restriping of the crosswalk on Hall Boulevard on the southbound approach adjacent to the Safeway store. The existing crosswalk markings were removed when ODOT resurfaced that intersection approach. This was requested over 3 months ago and has been turned over to ODOT maintenance for action. The work has not yet been performed.
- Submitted the expansion of Hall Boulevard to 5 lanes from Highway 99W to Durham Road for the \$400 ODOT bond issue. The project was rated 16th in the final ratings and did not make the list for implementation. We will continue to look for opportunities to support the upgrading of ODOT facilities such as Hall Boulevard, Highway 217 and Highway 99W.



Community Development/Public Works: Jim/Ed

GOAL 2: PARKS AND RECREATION

- A. Complete master plans for city parks (Summerlake, Fanno Creek Park expansion, Dog Park, etc.)
- B. Continue to work with and support the Youth Forum and youth activities (before and after school programs, Skateboard Park Committee)

Q-4, December 2002 Update

Goal 2.A. Complete Parks Master Plans

The first project at Summerlake Park will be the installation of an off-leash dog area, which is anticipated to open in the spring of next year. It is contemplated, at this time, that Summerlake Park Development Phase One, tentatively scheduled for FY '03-'04, consist of the following:

- Site prep and utilities
- Children's play playgrounds (includes water play area)
- Renovate existing playgrounds

The projected cost estimate for phase one is \$200K. We will refine this further during the upcoming budget process.

A first phase which primarily consists of the playgrounds, bathrooms, and a water play feature will generate much excitement and enthusiasm for park development at Summerlake Park.

Bonita Park construction will begin in early 2003 and be completed by June 30, 2003. Park features to be built in Phase I are: playground, basketball courts, portable toilets, picnic shelter, and an open space lawn area.

Cook Park, Phase II, is scheduled to be completed this December.

New recreation features at Woodard Park include a tot-lot playground, an elementary age playground which have been installed and a picnic shelter. The Woodard Park picnic shelter is anticipated to be installed this winter.

Potso Dog Park was dedicated and opened on Saturday, July 20. Attendance has been very good. The users and committee members have done an excellent job in "cleaning" the area.



Q-4, December 2002 Update

Goal 2.A. –Complete Parks Master Plans cont'd.

Library Park Master Plan. Murase Associates has been retained to develop the master plan. The process will include a public participation process and it is anticipated that the master plan will be completed by late winter or early spring.

Goal 2. B. Youth

The Youth Forum met continually throughout the year and was successful in getting an extended after-school program in place in January 2002 to service youth who had no other alternatives for after-school activities. The extended after-school program is currently on hold because of the added cost of providing a snack and additional bus runs for the program. A subcommittee of the Youth Forum explored ways to fund the elementary school lunch buddy mentoring program, which was cut due to lack of funding. The school district is currently pursuing restoring the program with volunteers.

At the end of the year, the youth Forum turned its focus to youth involvement and began exploring ways to get youth involved in community issues and adults in the community more connected with youth.

The Tigard-Tualatin School District will probably receive grant funds in the fall of 2003 to continue the after-school programs at the middle schools. Members of the Youth Forum are approaching community service clubs and churches for assistance with the after-school programs for snacks and supplies for programs. The results of the Assets Survey taken by students last school year will be shared this fall by the district. A Youth Advisory Council may be formed to provide youth a connection to the community to address some of the issues raised in the Assets Survey.

Skateboard Park Task Force

Recent meetings of the Task Force have focused on the site-design/cost estimate and site location processes.

The proposed design was approved by City Council on November 26. The City is presently talking to the School District about the possibility of locating the skate park facility at the Fowler School site on Tigard Street. The School District has yet to determine the availability of the site for City use. A community meeting was held on November 20. Most of the



Q-4, December 2002 Update
Goal 2. B. Youth cont'd.

neighbors who attended the meeting were opposed to the skate park facility being located on the Fowler School property off Tigard Street.

Rich Carlson, Skate Park Task Force Chair, has begun a series of meetings designed to build interest in the upcoming fund-raising process. Many kids have been involved and he is looking for more adults to assist in this crucial process.

Public Works staff will continue to work with and support the Youth Forum and youth activities (before and after school programs, Skateboard Park Task Force).



Q-3, October 2002 Update

Goal 2.A. (Summerlake Park, Potso Dog Park, Cook Park, Woodard Park, Bonita Park)

Summerlake Park—

The first project at Summerlake Park will be the installation of an off-leash dog area, which is anticipated to open in late spring of next year. It is contemplated, at this time, that Summerlake Park Development Phase I, tentatively scheduled for FY '04, consists of the following:

- site prep and utilities
- parking area (7 spaces)
- children's play area in the northeast area (includes water play area & bathroom)
- children's play area near the ball field

The projected cost estimate for Phase I is \$388,500 + 10% contingency. We will refine this further during the upcoming budget process.

A first phase, which primarily consists of the playgrounds, bathrooms, and a water play feature, will generate much excitement and enthusiasm for park development at Summerlake Park.

Bonita Park—

Construction will begin in early 2003 and be completed by June 30, 2003. Park features to be built in Phase I are: playground, basketball courts, portable toilets, picnic shelter, and an open space lawn area.

Cook Park—

Phase II is scheduled to be completed in November.

Woodard Park—

New recreation features include a tot-lot playground, an elementary age playground and a picnic shelter. The Woodard Park features are anticipated to be installed in the spring of 2003.

Potso Dog Park—

Opened and dedicated on Saturday, July 20. Attendance has been very good. The users and committee members have done an excellent job in "cleaning the area."



Q-3, October 2002 Update

Goal 2.A. (Summerlake Park, Potso Dog Park, Cook Park, Woodard Park, Bonita Park) cont'd.

Library Park Master Plan—

An RFP has been sent out seeking a Landscape Architect/Park Planner to prepare a Library Park Master Plan. RFPs are due by October 29 at 5:00 p.m. The process will include a public participation process and it is anticipated that the master plan will be completed by late winter or early spring.

Goal 2.B. Skateboard Park Task Force—

Recent meetings of the task force have focused on the site design/cost estimate and site location processes.

Three skate park design meetings were conducted. The proposed design will be presented to City Council on November 26 for Council approval. The city is presently talking to the school district about the possibility of locating the skate park facility at the Fowler School site on Tigard Street. The school district has yet to determine the availability of the site for city use. If and when it becomes available the city and school district will announce a date, time, and place for a community meeting to discuss the possibility of locating a skate park on Fowler School property.

Rich Carlson, Skateboard Park Task Force Chair, has begun a series of meetings designed to build interest in the upcoming fund-raising process. Many kids have been involved and he is looking for more adults to assist in this crucial process.

Goal 2.B. Middle School After-School Programs—

The middle school after-school program started up again shortly after the school year began. The city has applied to the National League of Cities for technical assistance to assist with setting up a Youth Advisory Council that would, in part, address issues raised in the Search Institute's Assets Survey. A subcommittee of the Youth Forum is exploring alternatives to continuing the elementary school lunch buddy program which was discontinued due to lack of funds.



Q-2, July 2002 Update

Goal 2.A. City Parks Master Plans—

The City Council approved the Summerlake Park and Bonita Park Master Plans on June 25, 2002. The first project at Summerlake Park will be the installation of an off-leash dog area. Major construction at Summerlake Park is tentatively scheduled to begin in FY 2002-03.

Bonita Park construction will begin in early 2003 and be completed by June 30, 2003. Park features to be built in Phase I at Bonita Park are: playground, basketball courts, portable toilets and an open space lawn area.

Cook Park, Phase II, will be completed this October. New recreation features at Woodard Park include a tot-lot playground, an elementary age playground and a picnic shelter. The Woodard Park features will be installed prior to June 30, 2003. Potso Dog Park is scheduled for completion the week of July 15. The Potso Dog Park dedication ceremony is set for July 20.

Goal 2.B. Youth Forum and Youth Activities

The Tigard-Tualatin School District will receive grant funds in the fall of 2003 to continue the after-school programs at the middle schools. Members of the Youth Forum are approaching community service clubs and churches for assistance with the after-school programs for snacks and supplies for programs. The results of the Assets Survey taken by students last school year will be shared this fall by the district. A Youth Advisory Council may be formed to provide youth a connection to the community to address some of the issues raised in the Assets Survey.

Goal 2.B. Skateboard Park Task Force—

Recent meetings of the Task Force have focused on the site-design/cost estimate process. On February 20, a general membership meeting was conducted. Approximately 80 people attended the meeting. The kids that attended the meeting participated in an exercise to determine what type of features they wanted to see in the Skateboard Park. An RFP to secure architectural design services was prepared and released on February 20. The city received five responses and they are currently being reviewed. It is anticipated that an architect will be hired no later than May 27. The architect-led design process will take eight to ten weeks to complete and will consist of three public meetings which will be widely publicized.

Continue to work with and support the Youth Forum and youth activities (before and after school programs, Skateboard Park Task Force).

Goal 2.B.

An expanded after-school program started at Twality Middle School on January 14. Representatives from the League of Oregon Cities, Washington County and the City of Tualatin spoke to the Youth Forum at the February 12 meeting about Youth Advisory Councils. The Youth Forum will pursue formation of a Youth Advisory Council in the coming months. The expanded after-school program is being offered at Fowler as well as at Twality until the end of the school year. Grant sources are being explored to continue the program in September.



Q-1, April Update

Goal 2.A. Summerlake Park

There have been four (4) Park Master Plan community, public input meetings pertaining to the Summerlake Park Master Plan (September 30, 1999, November 18, 1999, October 4, 2001 and December 5, 2001). Approximately twenty-five (25) people attended each meeting. The public input process has been completed and has resulted in the development of a proposed Summerlake Park Master Plan, which will be presented to the City Council for approval during the next quarter

The first project, if approved by City Council, will be the addition of an off-leash dog area. The development of the rest of the park, if approved by the City Council, will begin in FY 2003-04. The remaining proposed projects are: site preparation, irrigation systems, renovation of the existing ball field, parking, two children's playgrounds, water play area, pathways, covered picnic tables, landscaping, restroom, and a new maintenance building. The cost estimate for the proposed projects is \$801,020 (does not include maintenance building).

Cook Park

Cook Park expansion, phase one development, has been completed. Projects completed are: parking lot, 85th Avenue emergency access road, gazebo, butterfly meadow, sports fields, landscaping, and trails. Phase two development projects include the following: picnic shelter, tot lot playground, restroom facility, restroom/concession facility, maintenance building, additional parking, and infrastructure. Phase two has been awarded and construction will begin in April and be completed in November.

Woodard Park

New development at Woodard Park will consist of a tot lot, playground, and picnic shelter. The tot lot and picnic shelter will be installed this fiscal year. The playground will be installed in FY 2002-03.

Dog Park

The Coe Manufacturing site has been mapped by City engineering and cost estimates are currently being put together. The formal agreement with the landowner has been signed. As set forth in the agreement with the owner, the name of the Dog Park will be "Potso Dog Park." The name is in honor of the General Manager's dog.

A site design meeting was conducted with the Dog Park Committee on January 7. Design interests focused on perimeter fencing & gates, entry area, signage, furnishings (picnic tables and benches), identification of parking spaces, interior perimeter mulched path, smaller interior fenced area for small dogs and puppies, drinking area for dogs and landscaping.

The conditional use permit hearing is scheduled for April 15. Construction will begin as soon as the conditional use permit process is complete. Construction is scheduled to be completed, and will be opened to the public by June 15.



Community Development: Jim

GOAL 3: DOWNTOWN

- A.** Plan for the commuter rail station.
- B.** Review zoning and comprehensive plan standards in the downtown.
- C.** Work in conjunction with the Tigard Central Business District Association, Tigard Area Chamber of Commerce, and other interest groups on a downtown redevelopment plan.

Q-4, December 2002 Update

Goal 3. Downtown

- Completion of Traffic Impact Study to evaluate impacts of the downtown Commuter Rail station/park and ride on downtown vehicle and pedestrian circulation. The study concludes the impact isn't significant, and includes specific recommendations for safety and circulation.
- In November, City Council appointed a 13-member Task Force for an 18-month term to examine Commuter Rail station design and pedestrian/ vehicle circulation, and develop a work plan and timeline to address Downtown's other revitalization and economic development needs.
- The Task Force is reviewing different station design elements to arrive at the group's preferred improvements. These will form a Station Design Plan, which will be forwarded to Council and Tri-Met Winter 2003.



Q-3, October 2002 Update

Goal 3.A-C.

The following are steps and timelines pertaining to Goal 3, subsections A-C:

1. April 2002 City Council status briefing on commuter rail.
2. April 2002 Mayor appoints downtown task force beginning review of community needs.
3. May—July 2002 downtown task force develop scope of review for planning project.
4. August 2002 Council update on scope of review.

This goal is dependent upon creation of task force, identification of issues, and consensus of approach. A detailed work program and schedule are dependent upon task force decisions and will be presented to Council.

- Three informational meetings with downtown business and property owners were held. The scope of the meetings was to discuss potential commuter rail benefits for the downtown.
- The meetings resulted in the following actions:
 - a. Scope for the commuter rail downtown station improvements which would consist of a station design package and a pedestrian circulation plan.
 - b. Recommendation to create a Downtown Task Force to deal with downtown issues, including downtown-related catalyst projects.



Q-2, July 2002 Update

Goal 3.A. Commuter Rail Station

- Two public meetings were held to determine the scope of work for the downtown area.
- The planning effort will include two major steps:
 1. Commuter rail station design phase in the next 5-10 months
 2. Assessment of traffic impacts associated with commuter rail park-and-ride operations—a traffic impact study needs to be done by August.

Q-1, April 2002 Update

Goal 3.A.B.C.

Staff is preparing a presentation on key issues related to downtown planning efforts for the May 8th Blue Ribbon Task Force.



Public Works: Ed

GOAL 4: WATER

- A. Continue to evaluate options for a long-term water supply.

Q-4, December 2002 Update

Goal 4. Water

Proposed Bull Run Regional Drinking Water Agency

The Phase II implementation plan for the formation of a proposed Bull Run Regional Drinking Water Agency was completed and distributed to the 13 participating agencies in late September. Since that time, member agencies have been meeting independently like Tigard and the IWB, review that date. It is anticipated that the member agencies will decide in February 2003 whether or not to proceed with a Phase III or request that the City of Portland start serious negotiations on the buy in price.

Joint Water Commission

We continue to work closely with the Joint Water Commission and its members to build relationships that will soon offer us a partnership. The Tualatin Basin Water Feasibility Study is moving along slowly but at a steady pace. We are also involved in the selection process for the JWC on a consultant for a raw water pipeline. This project will explore the option to plan, design and construct a raw water pipeline from the Scoggins Reservoir to the water treatment facility, to capture raw water for treatment and eliminate loss due to flow by.



Q-3, October 2002 Update

Goal 4.A. Bull Run Drinking Water Agency—

Phase II of the study is now complete. The consulting team of MSA/IUG and CH2Mhill presented the “Implementation Plan for the Formation of a Proposed Bull Run Regional Drinking Water Agency” to the Policy Steering Committee on September 26, 2002. The report is being studied and discussed by each participating agency. The projected deadline for the agencies to respond if they desire to continue working on the partnership is February 27, 2003. The Tigard City Council and Intergovernmental Water Board will be meeting monthly to discuss our options and recommendations on our future participation.

Goal 4.B. Joint Water Commission—

The Beaverton intertie is completed. Tigard is now receiving approximately two mgd through this connection. The JWC has recommended a study on the feasibility of a raw water pipeline from Scoggins reservoir to the treatment plant. The pipeline would serve to minimize “blow-by” losses during certain periods of time, thus, potentially increasing the amount of raw water available in treatment, which could allow Tigard to purchase more capacity from the Joint Water Commission. There have been brief preliminary discussions that once the Joint Water Commission members adopt their new water services agreement, Tigard may be asked to be a member, with limited water. This opportunity might be explored during the first six months of 2003.



Q-2, July 2002 Update

Goal 4.A. Long-Term Water Supply Options

Proposed Bull Run Regional Drinking Water Agency

Phase II of the study is underway. The Policy Steering Committee which is comprised of elected officials, have approved the criteria and recommend an IGA 190 agreements as the favored governance option. The consultant and staff members are working on the principles of the agreement. A regional open house is scheduled for Tigard on July 24th at 6:30 p.m. in the Water Auditorium.

Joint Water Commission

Tualatin Basin Water Supply Feasibility Study

The intertie with the City of Beaverton should be completed by the first of August of 2002 and we will continue to purchase surplus water from the Joint Water Commission. The Feasibility Study for the Tualatin Basin continues to move forward with the consultant working on the Alternative's Analysis and will be completing the field studies this summer.

Q-1, April 2002 Update

Goal 4.A.

Bull Run Regional Drinking Water Agency

Phase 2 of the study is underway. A consulting team of MSA/ IUG & CH2MHill has been selected by the 13 participating agencies to address those questions and issues that were recommended for further study in Phase 1. The Technical Advisory Committee chaired by Ed Wegner meets weekly and the Policy Steering Committee meets monthly to keep the project moving toward the August/September date for completion of the report. Once the four work groups get further along, we will update the IWB and City Council on areas of governance/legal, finance, engineering and public involvement.

Joint Water Commission

Our intertie with Beaverton should be completed by mid summer, and judging by the current filling pattern of the Scoggins reservoir, we should be able to purchase summer surplus water from the JWC. The feasibility study for the Tualatin Basin is moving forward. We have set the evaluation criteria and are now looking at the list of alternatives. This spring and summer the consultant will do the field work portion of the study.



Community Development/Administration: Jim/Liz

GOAL 5: GROWTH MANAGEMENT

- A. Continue to evaluate the results of the Bull Mountain study and discuss the findings with the residents. Cooperatively develop a course of action.
- B. Monitor the progress of the Durham Quarry development, receiving regular council updates.
- C. Consider ways to support the provision of affordable housing.
- D. Actively support implementation of the Washington Square Regional Center Plan.
- E. Evaluate the need and feasibility of having the Tigard Post Office Branch become the Tigard Post Office.

Q-4, December 2002 Update

Goal 5. A. Bull Mountain Study

Staff has been evaluating Bull Mountain facilities and the short- and long-term provision of services to the area. This includes refining the 2001 Study assumptions.

Goal 5. B. Durham Quarry

- Continued coordination on development of site, including progress meetings with the developer and impacted agencies.
- Negotiations have been finalized between the County and a purchaser; the property was sold to OPUS Northwest.
- OPUS is finalizing development plans and is nearing site submittals with construction anticipated to start in the spring of 2003. Development plans include realigning the 72nd/Bridgeport intersection and improvements to the I-5 /Lower Boones Ferry freeway interchange.

Goal 5. C. Affordable Housing

In late October, Council adopted guidelines for a new Events and Social Services Fund set-aside designed to reduce fees and charges imposed on affordable housing acquisition, development, and



Q-4, December 2002 Update

Goal 5. C. Affordable Housing cont.d

rehabilitation within the community. The first year amount is \$10,000. Notices of available FY 02-03 funding were distributed in early December. Applications are due January 2, 2003. In-person presentations to City Council, required as part of the application process, are set for January 28th.

Goal 5. D. Washington Square Regional Center Plan

- Funding strategy was adopted by Council in November.
- Staff will begin implementation of the strategy steps.
- TDM, greenbelt and storm water components are included in Long Range Planning work program.

Goal 5. E. Tigard Post Office

Contacts were made earlier in the year with U.S. Post Office and then a follow-up letter to Senator Wu in April asking for assistance in the following areas:

1. Identification of the criteria used to establish independent post office facilities and a determination whether Tigard meets those criteria.
2. Modification to appropriate data bases to accept Tigard, Oregon as a location tied to zip codes 97223, 97224, and 97281.
3. Enhanced bulk mail services at the Tigard Post Office to include weekday hours when bulk mail is reviewed and accepted for delivery.
4. Later weekday pickups for outgoing mail.



Q-3, October 2002 Update

Goal 5.A. Bull Mountain Study

1. March 2002 identify approaches for comprehensive survey of Bull Mountain residents to gauge support for the City's annexation of the area.
2. April 2002 initiate discussion with Washington County on next steps and their involvement.
3. April 2002 renewal of IGA for planning and building services for Bull Mountain.
4. Finalize scope of review and approach for review with City Council June 2002. Study will include education component.

Completion of this goal is dependent upon the involvement and support of Washington County.

- Riley research Associates surveyed 305 Bull Mountain and Tigard residents by phone to gauge support for annexation.
- The survey showed that support is clearly divided between City of Tigard and Bull Mountain residents. The majority of Bull Mountain residents surveyed did not support annexation, while the majority of Tigard residents surveyed did.
- On August 27, 2002, Council considered a resolution to begin an annexation plan, but it did not go forward.
- Questions still need to be answered regarding long-term provision of services to the area; staff is examining this issue.

Goal 5.B. Monitor the progress of the Durham Quarry development, receiving regular Council updates.

1. March 2002 IGA addressing development and permitting for quarry project.
2. Regular Council updates provided.

Completion of this goal is dependent upon the development project proceeding forward.

1. Continued coordination on development of site, including bi-monthly progress meetings with the developer and impacted agencies.
2. Negotiations being finalized between Washington County and developer for purchase.



Q-3, October 2002 Update
Goal 5 cont'd.

Goal 5.C. Affordable Housing

1. July 2002 produce Affordable Housing Action Plan for Council's review and adoption.
2. Provide information on affordable housing program to providers.
3. Monitor Metro's actions on affordable housing.

Affordable Housing Action Plan provides the foundation of Tigard's approach to the issue of providing affordable housing. The plan will lay out policy as well as approach to addressing this goal.

- In September, Council adopted the 26-page Affordable Housing Program as a comprehensive delineation of the City's efforts to emphasize and encourage affordable housing in the community.

The efforts include policies, goals, and strategies, as well as specific land use and non-land use affordable housing promotion measures.

Goal 5.D. Washington Square Regional Center Plan

1. December 2002 Development of Washington Square Regional Center Plan Implementation Program.
2. Funding strategy development.
3. Greenbelt strategy development.
4. Transit demand management strategy development.

Washington Square Regional Center Plan implementation includes development of several strategies. Involvement of Washington County, Beaverton, and Metro are critical to the success of this goal.

- Funding strategy developed. Scheduled for Council adoption in November.
- Next step is to implement the strategy steps identified.
- TDM, greenbelt, and storm water components are included in long range planning work program.



Q-2, July 2002 Update

Goal 5.A. Evaluate Bull Mountain Study

- Bull Mountain annexation survey effort was initiated in May: both the city and the county selected Riley Research Associates to perform the survey.
- The survey is expected to be finalized by the end of July 2002.

Goal 5.B. Monitor Durham Quarry Development

Continued coordination on development of site, including monthly progress meetings with the developer and impacted agencies.

Goal 5.C. Affordable Housing

- Council review of an Affordable Housing Action Plan is scheduled for July 23, 2002. The plan is a compilation of all the local efforts undertaken to support and encourage affordable housing.
- Copies of the approved plan will be provided to affordable housing providers and to the Housing Advocacy Group of Washington County.

In April 2002 the city submitted a required progress report that describes how the city meets or could meet Metro's Urban Growth Management Functional Plan Title 7, Housing and Affordable Housing.

Goal 5.D. Washington Square Regional Center Implementation Plan

- A Draft Washington Square Regional Center Implementation Plan was prepared through collective effort of key city departments: Community Development, Engineering, Public Works, and Finance. The draft report is scheduled for Council review on July 16, 2002.
- Following the July Council meeting, two regional coordination meetings will be scheduled:
 1. Senior regional staff review in September/October; and
 2. Funding summit with elected officials in November.



Q-1, April 2002 Update

Goal 5.A.

Staff is working with Washington County to develop a scope of work and public outreach, including a value poll, for an annexation plan.

Goal 5.B.

In March, Council reviewed and signed the intergovernmental agreement with Tualatin and Washington County.

Goal 5.C.

On February 19, Council discussed the adoption of new strategies to encourage affordable housing. Council decided to consider the creation of a special fund or set-aside to offset fees and charges imposed on affordable housing development as a part of the regular budget process. Council also decided to consider the allocation of \$500 to continue the City's membership in the Housing Advocacy Group (HAG).

Goal 5.D.

Staff is developing a Washington Square Regional Center Implementation Program. The internal funding group meets monthly to develop a funding strategy program for Council review by July.



Library: Margaret

GOAL 6: LIBRARY

- A. Council members will individually support promotion of the library construction bond.

Q-4, December 2002 Update

Goal 6. Library

- Council members approved purchase of the 14.7-acre site on Hall Blvd. near O'Mara Street.
- Council members received monthly update presentations from the library director on the progress of the new library.
- Councilor Craig Dirksen presided at two community meetings to elicit citizen participation and feedback on design of the new library.
- Council members approved sale of new library construction bonds to the Oregon Economic and Community Development Department.
- Council members assisted the public information campaign by helping spread the word about public involvement in the new library.
- Council members reviewed and approved the schematic designs presented by the architects.



Q-3, October 2002 Update

- Council members approved selection of the architectural, project management and general contractor firms for new library construction.
- Council members received monthly update presentations from the library director on the progress of the new library.
- Councilor Craig Dirksen was appointed as council liaison to the New Library Resource Team upon the resignation of Councilor Joyce Patton in August.
- Council members approved sale of new library construction bonds to the Oregon Economic and Community Development Department.
- Council members have assisted the public information campaign by helping spread the word about public involvement in the new library.

Q-2, July 2002 Update

Goal 6.A. Library Construction Bond

- The successful passage of the new Library bond measure benefited from the active involvement of Tigard's City Council in the public education process.
- Public appearances by Council members publicized the new library and the bond measure to groups and organizations in Tigard.
- Letters to the editor from Council members appeared in both the *Oregonian* and the *Tigard Times*. They provided background and rationale for the new library and bond measure.
- The Council helped keep the bond measure and the new library in the forefront as agenda items in their televised Council meetings.
- Both during and after the bond measure election, Council members gave press interviews about the proposed new library.
- Both Mayor Griffith and Councilor Patton were featured in the cable TV program "A Day in the Life of the Library," which aired in April and May. Their comments addressed questions about the new library proposal and the bond measure.
- Mayor Griffith's column in Cityscape raised issues related to the new library both during and after the election.



Q-1, April 2002 Update

Goal 6.A. cont'd.

Goal 6.A.

- Council members have participated in several presentations about the new library to groups and organizations throughout Tigard.
- Several Council members took part in the library site master plan meeting for the community on March 5.
- Mayor Griffith featured the new library project presentation at his Blue Ribbon Task Force meeting in March.
- Councilor Patton participated in an editorial board meeting with the *Tigard Times*, along with the City Manager, the Library Director and a citizen member of the New Tigard Library Construction Committee.
- Through public meetings with the Construction Committee and the Library Board, Council members have helped focus public attention on the bond measure and proposed new library.
- Council members, both individually and as a group, have advanced the City's public information efforts through televised programs on TVCA.



Administration: Liz

GOAL 7: COMMUNICATION

- A. Continue to meet with local, county, regional and state partners.
- B. Continue to improve and expand communication with Tigard citizens through the CIT program, Cityscape, Website, cable, media, Community Connectors, and other means.
- C. Support English-as-a-Second-Language programs in Tigard.

Q-4, December 2002 Update

Goal 7.A. Communication

State Senator Ginny Burdick and State Representative Max Williams gave periodic updates regarding legislative activity at council meetings during the year that were aired on cable television. The City Council held regular meetings during the year with the Budget Committee, Planning Commission, Library Board, School District Board, and the Tualatin Valley Fire and Rescue District Board. During the last quarter, the council met with the Budget Committee to review social service funding, the Senior Center Board to discuss programs, and the Intergovernmental Water Board to discuss long-term water supply options. Tigard High School Student Envoy Paul Brems attends the first council meeting of each month to present information about school activities and programs.

Goal 7.B. Expand Communication

CITs--

Attendance at CIT meetings averaged a little higher in the fourth quarter than the third quarter, but the monthly average for the year declined from almost 13 people per meeting in 2001 to almost 9 per meeting in 2002. Surveys indicate, however, that about 660 people get information about the city by watching the CIT meetings on cable. Due to the low attendance at the meetings, the focus in February 2003 will shift to producing programs to inform and educate the cable television audience.

Cityscape

The format of the *Cityscape* newsletter was updated in time to include two colors along with photographs. Costs for producing the *Cityscape* increased 14% over the previous year due to the new two-color format. As part of preparing the FY 2003-04 budget, staff will investigate more cost-effective ways to distribute the *Cityscape*.



Q-4, December 2002 Update

Goal 7.B. Expand Communication cont'd.

Website

New features added to the website in 2002 include vendor registration and press releases. Information on the website continues to be updated quickly. A redesign of the website now in progress will accommodate new and enhanced features.

Cable

During the last quarter, city staff produced two library community meetings, the proposed street maintenance fee open house, and a story time video.

Media

Press releases continue to be issued weekly with an average of 81.5% printed for the year, only 62.5% in January, but 100% were printed in August.

Goal 7.C. ESL

The city's young adult librarian continues to meet at least monthly with the Hispanic Teen Advisory Group (HTAG) at Tigard High School. The group assists in the selection of materials for children and teens for the library. They are also planning some programming for early in 2004.



Q-3, October 2002 Update

Goal 7.A.

State Senator Ginny Burdick and State Representative Max Williams both made remarks at the August 13 Council meeting and answered questions. The Council met with the Budget Committee to discuss social service funding. At the beginning of the school year the Tigard High Student Envoy started attending the first Council meeting of each month again to present Tigard High news. Two Metro councilors attended a study session in July to discuss urban growth boundary issues.

Goal 7.B.

CITs—

The CIT meeting format will likely undergo a change beginning with the February 2003 meeting. Due to low attendance at the evening meetings but an at-home audience, the focus will shift to airing programs that educate and inform citizens about current issues. The proposed new program format will be discussed at the November 7 CIT meeting.

Cityscape—

Staff has recommended to Council that Cityscape's distribution method be evaluated. Although still quite popular, the newsletter information may be able to be communicated in a more cost-effective manner.

Website—

The website continues to be updated regularly. In the last quarter, a vendor application feature was added that allows vendors to register their name and services with the city which allows the city's purchasing department to search the system for available vendors to provide a specific service. A redesign of the Website is also underway to make room for new and enhanced features.

Cable—

Two of the city's network staff members are now certified producer/directors. City staff and volunteers are now staffing City Council, Hearings Officer, and CIT productions.

Media—

Press releases continue to be issued weekly with nearly 90% printed.



Q-3, October 2002 Update
Goal 7.B. cont'd.

Goal 7.C.

The library's Hispanic Teen Advisory Group (HTAG) met in July to plan the September 14 Mexican Independence Day celebration and to translate summer program materials. Two of the HTAG members volunteered at the September 14 event. The young adult librarian will meet monthly with HTAG at the high school.

Q-2, July 2002 Update

Goal 7.A. Local, county, regional, and state partners

During the second quarter, the City Council met with representatives of the Tigard-Tualatin School District and Tualatin Valley Fire and Rescue. The Budget Committee (with Council as members) held public hearings on the FY 2002-03 budget and forwarded a recommendation to Council which adopted a budget on June 11, 2002.

Goal 7.B.

CITs—

The June CIT meeting was taped on the morning of June 6 and aired that evening in the CIT's regular time slot on cable television. The pre-taped format allowed for different types of presentations. The July meeting was cancelled. The August and September meetings will be taped during the day to air in the evening.

Cityscape—

A new two-color format with photos was introduced with the June issue.

Website—

The information on the Website is continually updated (i.e., road closures, construction status, library programs). A new feature added in the last quarter is the Tigard City Council Action Recap which includes the previous month's meeting highlights and what's on the Council agenda for the coming month.



Q-2, July 2002 Update

Goal 7.B. cont'd.

Cable—

In June, the Land Use Hearings Officer meetings started airing on cable. The meetings are taped to air in the two weeks following each hearing.

Media—

Press releases continue to be issued weekly. In April and May over 90% of press releases submitted were printed.

Goal 7.C .

The library's Hispanic Teen Advisory Group (HTAG) met in May and June to discuss plans for programs. The charge of this group is to help plan programming targeting Hispanic families, to assist as translators at events, and make recommendations for materials to be added to the library collection. The HTAG is currently assisting in planning a festival which is scheduled for Saturday, September 14, 2002.

Q-1, April 2002 Update

Goal 7.A.

Annual meetings are scheduled with the Budget Committee, Planning Commission, Library Board, School District Board, Senior Center Board, and Tualatin Valley Fire and Rescue District Board. The Tigard High School Student Envoy reports to Council at the first meeting each month on school activities. The State Representative and Senator give periodic updates to the City Council over cable television, more often during the legislative session. During the last quarter, the Council met with the Planning Commission and the Library Board.

Goal 7.B.

CITs—

The June, July, August and September meetings may be taped to air later. Attendance is declining at the evening meetings to an average of 10 per meeting. The meetings will still be public but taping during the day will be a more efficient use of staff resources and allow for a variety of formats in one program.

Cityscape—

The format of the newsletter will be updated with added features beginning in June 2002

Website—

Content on the new Website is updated very quickly. A new feature to preview upcoming Council meeting agenda topics is in the works.



Q-1, April 2002 Update

Goal 7.B. cont'd.

Cable—

City staff and volunteers are being trained to operate the civic studio cameras and produce and direct cameras. In the last quarter, two programs were produced about the Tigard Library. The City's 40th birthday showcase production also aired.

Media—

Press releases continue to be issued weekly. Approximately 77% are printed.

Community Connectors—

Two connectors were added in the last quarter, both representing areas on Bull Mountain.

Goal 7.C.

Support “English as a Second Language” programs in Tigard.

In the last quarter, the library received a \$16,200 Library Services and Technology Act grant for its innovative “Hispanic Youth Initiative” project. The funds will help enhance collections and services for Hispanic populations with a focus on young adults.

A Hispanic Teen Advisory Group will be formed to advise the library as it expands Spanish language and English language learning materials including two computer work stations that will feature computer tutorials—English language learning software and Spanish language applications.

AGENDA ITEM # _____
FOR AGENDA OF 1/28/03

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Recreational Trails Grant Application

PREPARED BY: D. Roberts/D. Plaza DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Should Council authorize the Mayor to sign the attached resolution endorsing the submittal of a federal Recreational Trails Program (RTP) grant application?

STAFF RECOMMENDATION

Staff recommends that Council approve the resolution.

INFORMATION SUMMARY

The RTP is a federal-aid assistance program intended to help States provide and maintain recreational trails for both motorized and non-motorized trail use. Oregon Parks and Recreation Department (OPRD) administers the RTP in Oregon. The program is highly competitive. City, state, and federal agencies are all eligible to receive funds. In December, the department received 68 notices of intent to apply for funds, required of all potential applicants. Projects sponsors must provide at least 20 percent of the project's cost. Applications with a higher match ratio are the most competitive.

Staff proposes to submit an application for half the cost of constructing a 920 foot Fanno Creek Trail segment between Hall Boulevard and the future library. The segment includes a pedestrian bridge over Fanno Creek. The amount of the higher than required match is based on discussions with the state RTP program manager and is intended to maximize the project's chances of being picked for funding given the high number of anticipated applications. It also is intended to offset the Tigard project's comparative lack of ready-to-go-ness in terms of not having completed design and permitting.

In addition to higher local contributions, projects with construction drawings and permits in place will be more competitive than those that are in the early stages of project development.

Proposals will be evaluated by a state-wide committee composed of park planning professionals and elected officials. Successful applicants have two years to spend the money. The City's application has been reviewed and approved by the Finance Department, with respect to financial obligations.

OTHER ALTERNATIVES CONSIDERED

Do not submit a project proposal this fiscal year.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Parks and Recreation Goal #1 calls for the pursuit of grant funding opportunities.

FISCAL NOTES

The grant amount requested is \$47,550. The proposed local hard dollar contribution of \$47,550 will come from Park SDC funds. These matching funds are included in the proposed 2003-2004 Parks Capital Improvement Plan.

CITY OF TIGARD, OREGON

RESOLUTION NO. 02-_____

A RESOLUTION AUTHORIZING THE SUBMITTAL TO THE OREGON PARKS AND RECREATION DEPARTMENT OF AN APPLICATION FOR FEDERAL ASSISTANCE TO CONSTRUCT A SECTION OF THE FANNO CREEK TRAIL.

WHEREAS, the Tigard Comprehensive Plan and the Tigard Park System Master Plan both call for the completion of a continuous recreational trail along the length of Fanno Creek as it passes through the City; and

WHEREAS, the City has completed four separate Fanno Creek Trail segments in recent years; and

WHEREAS, the Fanno Creek Trail is part of the 15-mile Fanno Creek Greenway Trail;

WHEREAS, the Fanno Creek Greenway Trail has been designated by the Metro Council as regionally significant and is envisioned as a high use, multimodal trail, interconnecting numerous neighborhoods and communities; and

WHEREAS, the construction of the Fanno Creek Trail segment between Hall Boulevard and the new Tigard library is defined in an application for federal Recreational Trail Program (RTP) funds; and

WHEREAS, the project meets the RTP objective of helping states provide and maintain recreational trails for non-motorized trail use; and

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: the City of Tigard, Oregon based on the aforementioned considerations, hereby expresses its support for the timely completion of the Tigard portion of the Fanno Creek Greenway Trail and authorizes submission of an application for federal assistance.

SECTION 2:

EFFECTIVE DATE:

PASSED: This _____ day of _____, 2002.

Mayor - City of Tigard

RESOLUTION NO. 02-

ATTEST:

City Recorder - City of Tigard

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Resolution Endorsing Tualatin River Bridge Grant Application

PREPARED BY: D. Roberts/Dan Plaza DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Should Council endorse a grant application prepared by the City of Tualatin for a Transportation Enhancement Program funds to help finance the construction of a bicycle/pedestrian bridge spanning the Tualatin River?

STAFF RECOMMENDATION

Council adopt the attached resolution endorsing the application.

INFORMATION SUMMARY

The City of Tualatin has prepared an application for an ODOT Transportation Enhancement Program grant to provide major funding for the construction of a pedestrian bridge over the Tualatin River. In addition to the bridge structure, the proposed project includes connecting ramps and pathway approaches. The proposed bridge would be sited immediately downstream of the existing railroad bridge. An earlier technical study determined that attaching a bike/ped bridge to the existing railroad bridge is not structurally feasible.

OTHER ALTERNATIVES CONSIDERED

Do not support the application.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

The proposed project is consistent with Transportation Goals No. 2 and 3. Goal No. 2 calls for enhancing off-street bike-pedestrian walkway connectivity. Goal No. 3 calls for the identification of new funding sources for transportation improvement projects.

ATTACHMENT LIST

1. Resolution

FISCAL NOTES

The grant amount requested is \$1 million. The Transportation Enhancement Grant Program requires a ten percent local contribution or match. In the case of the present project, Tualatin is providing the entire match amount. No City of Tigard dollars are involved in the project.

CITY OF TIGARD, OREGON

RESOLUTION NO. 03-_____

A RESOLUTION ENDORSING THE CITY OF TUALATIN APPLICATION FOR TRANSPORTION
ENHANCEMENT PROGRAM GRANT FUNDING TO CONSTRUCTION A BICYCLE/PEDESTRIAN
BRIDGE OVER THE TUALATIN RIVER

WHEREAS, the Tigard Park System Master Plan identifies the need for a bicycle/pedestrian crossing of the Tualatin River in the proximity of the Portland & Western Railroad bridge; and

WHEREAS, the development of a bicycle/pedestrian bridge would link Tigard's Cook Park, Tualatin's Community Park, and Durham's City Park; and

WHEREAS, in 1998 the City provided funds to partially finance a feasibility and design study for the bicycle/pedestrian bridge; and

WHEREAS, the Transportation Enhancement Program is a potential source of funds to construct the bicycle/pedestrian bridge; and

WHEREAS, the City of Tualatin has prepared a Transportation Enhancement Program application for construction funds; and

WHEREAS, the project application meets the program objective of enhancing the quality of travel or transportation in Oregon

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: the City of Tigard, Oregon based on the aforementioned considerations, hereby expresses its support for the timely completion of a bicycle/pedestrian bridge over the Tualatin River and endorses the City of Tualatin's application for state funds to finance the construction of a bicycle/pedestrian bridge near the confluence of Fanno Creek and the Tualatin River.

SECTION This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2003.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Approve Intergovernmental Agreement between City of Tigard and Clean Water Services

PREPARED BY: Ed Wegner DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Council to approve the Intergovernmental Agreement (IGA) with Clean Water Services and authorize the City Manager to sign such agreement.

STAFF RECOMMENDATION

Staff recommendation to have City Manager authorized to sign the Intergovernmental Agreement with Clean Water Services.

INFORMATION SUMMARY

Staff has completed the negotiations with Clean Water Services (CWS) and has made presentation to City Council on January 21, 2003 and is comfortable with the agreement being presented tonight. This IGA has been in the negotiation stages for approximately two years. The agreement will replace the previous IGA and is based on a model IGA prepared for all the cities in Washington County. This IGA is intended to memorialize the current relationship between CWS and the City which evolved when the original County Service District was formed.

Listed below are two key issues in the agreement that will affect Tigard into the near future:

- Agreement to adjust service boundaries with Tigard being asked to operate and maintain areas currently outside the City limits. This change will increase our responsibility area by an estimated 70 percent. The effective date of this change will be July 1, 2004.
- Clean Water Services in conjunction with the member cities will be undertaking a new revenue sharing methodology in the upcoming year. Tigard has retained the right to abandon this agreement should an inadequate revenue sharing methodology be reached.

OTHER ALTERNATIVES CONSIDERED

Discontinue participation with Clean Water Services on and Intergovernmental Agreement

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Although not directly stated as a Visioning Task Force Goal, this issue should be addressed in a more efficient method of delivery of services to citizens and ratepayers.

ATTACHMENT LIST

1. Agreement

FISCAL NOTES

All costs for the City to be responsible for maintenance outside the City of Tigard will be reimbursed by Clean Water Services.

INTERGOVERNMENTAL AGREEMENT
BETWEEN _____ AND
CLEAN WATER SERVICES

THIS AGREEMENT is made and entered into as of the ____ day of _____, 2002, between the **City of _____** a municipal corporation of the State of Oregon, hereinafter referred to as "City," and **Clean Water Services**, formerly Unified Sewerage Agency, a municipal corporation and county service district, hereinafter referred to as the "District."

WHEREAS the City has authority to operate and maintain sewerage and surface water management systems as provided for under its charter, relevant laws, rules and the Agreement. The City performs a variety of functions critical to the operation, maintenance and management of sewerage and surface water management facilities as outlined in the Agreement. It is anticipated that this Agreement may periodically require updating or modification by agreement of the parties; and

WHEREAS as a county service district organized under ORS 451, the District has the legal authority for the sanitary sewerage and storm water (surface water) management programs within its boundaries consistent with relevant laws, rules and agreements. The District performs watershed, sub-basin and facility planning, develops standards and work programs, is the permit holder, and operates and maintains wastewater treatment facilities, surface water collection system and sanitary sewer systems within unincorporated areas and within certain cities within its boundaries. The District also performs various ancillary functions throughout the basin and within various cities; and

WHEREAS in 1970, City, by action of its Council pursuant to an election duly conducted within the boundaries of the District, agreed to be within such sanitary sewer district; and

WHEREAS in 1989, City consented by action of its Council to have District manage storm and surface water drainage within the District's boundary, including those portions of the system within the City, and consented to the petition to the Portland Metropolitan Area Boundary Commission (Boundary Commission) to expand District's authority to include storm and surface water drainage management, which was granted by the Boundary Commission; and

WHEREAS District and Washington County Cities have enjoyed a strong and effective partnership over more than three decades since District's formation. This partnership has greatly enhanced protection of public health and the environment and has been the foundation of enormous economic growth. Collaboration built through communication must remain as its cornerstone. Accordingly, the District and the City commit to cooperatively and openly engage each other in the timely discussion of topics of interest to the other party. A variety of forums and means will be employed to

promote the above such as the Washington County Managers meetings, the City/District Technical Committee as well as ongoing individual communications.; and

WHEREAS, City and District have the authority to enter into contracts for the cooperative operation of service facilities under ORS 451.560 and ORS Chapter 190; and

WHEREAS, City and District previously entered into an Agreement for the cooperative operation of sanitary sewer and surface water facilities, and said Agreement is in need of amendment.

NOW, THEREFORE, in consideration of the covenants and agreements to be kept and performed by the parties hereto, it is agreed as follows:

Section 1. Definition of Terms

Wherever the following terms are used in this agreement they shall have the following meaning unless otherwise specifically indicated by the context in which they appear:

- A. Area of Geographic Responsibility means the area set forth in the map attached as Exhibit A as may be amended.
- B. Board means the Board of Directors of the District, its governing body.
- C. Chief Executive Officer means the City official responsible for managing the day-to-day business affairs of City.
- D. Council means the City Council, governing body of City.
- E. Industrial Waste means any liquid, gaseous, radioactive or solid waste substance or a combination thereof resulting from any process of industrial or manufacturing business, or from the development or recovery of natural resources. For the purposes of this agreement, Industrial Waste shall also include any substance regulated under 33 USC Sec 1317, together with regulations adopted thereunder.
- F. Operation and Maintenance means the regular performance of work required to assure continued functioning of the storm and surface water system and the sanitary sewerage system and corrective measures taken to repair facilities to keep them in operating condition, and in compliance with the requirements of applicable laws, regulations, and permits.
- G. Order means Resolutions, Orders and Directives of the District prescribing general standards and conditions for construction or use of the storm and surface water facilities and the sanitary sewerage facilities, and Rates and Charges.

- H. Person means the state of Oregon, any individual, public or private corporation, political subdivision, governmental agency, municipality, industry, co-partnership, association, firm, trust, estate or any other legal entity whatsoever.
- I. Program Funding means the revenues made available to City through Section 4. of this agreement to follow the adopted work programs and performance standards.
- J. Rates and Charges are defined in the District's "Rates and Charges" Resolution and Order (R&O) No. 01-34, or as may be amended. The following terms when used in this agreement shall be as defined in that R&O:
1. Dwelling Unit Equivalent (DUE)
 2. Equivalent Service Unit (ESU)
 3. Impervious Surface Area
 4. Permit Application and Inspection
 5. Sanitary Sewer Service Charge
 6. Sanitary System Development Charge (SDC; Connection Charge)
 7. Storm and Surface Water Service Charge
 8. Storm and Surface Water System Development Charge
- K. Sanitary Sewerage System means any combination of sewer treatment plant, pumping or lift facilities, sewer pipe, force mains, laterals, manholes, side sewers, laboratory facilities and equipment, and any other facilities for the collection, conveyance, treatment and disposal of sanitary sewage comprising the total publicly-owned Sanitary Sewerage System within District jurisdiction, to which storm, surface and ground waters are not intentionally admitted.
- L. Standards means the standards and conditions of use of the storm and surface water system and the sanitary sewer system as specified and adopted by the District. Standards also shall mean applicable statutes and rules of the United States and the State of Oregon.
- M. Storm and Surface Water System means any combination of publicly owned storm and surface water quality treatment facilities, pumping or lift facilities, storm drain pipes and culverts, open channels, creeks and rivers, force mains, laterals, manholes, catch basins and inlets, grates and covers, detention and retention facilities, laboratory facilities and equipment, and any other publicly owned facilities for the collection, conveyance, treatment and disposal of storm and surface water comprising the total publicly owned Storm and Surface Water System within District's jurisdiction, to which sanitary sewage flows are not intentionally admitted.

- N. Work Program and Performance Standards are adopted by the District after considering input from the cities to define the activities required to operate and maintain the sanitary sewer and storm and surface water systems.

Section 2. Determination of Programs, Rules, Policies and Standards

The District is responsible for the management and operation of the sanitary sewer and storm and surface water systems within its boundary, and is the designated permittee who shall obtain and enforce timely compliance with relevant federal and delegated state Clean Water Act permits for treatment plants, collection systems, and stormwater. The District, after considering input from the cities, shall adopt orders, standards, specifications, work programs, and performance criteria for the proper and effective operation of the sanitary sewer and storm and surface water systems and to comply with state and federal permits, laws and regulations. In addition, the District, after considering input from the cities, shall have the authority to make changes to its orders, work programs and performance Standards. Any such changes to work programs and performance standards that the Board determines are required by state and/or federal permits or regulations will become effective 90 days from the date of notice to City by District or as mutually agreed to. Any changes to work programs and performance standards, not required by state and/or federal permits and regulations, shall be mutually agreed to by the District and City before they become effective. Proposed changes not required by state and/or federal permits and regulations should be communicated between the District and the City in or before September of the year before they are to be implemented to allow District and City to budget appropriately for the following fiscal year.

A. City agrees to follow and enforce the Orders, Standards, specifications, work programs, and performance criteria promulgated by the District, subject, however, to program funding and to the extent that City may be lawfully authorized to act. The City shall not be responsible for any failure to act or defect in performance caused by lack of adequate program funding, inadequacies in the Work Program and Performance Standards as adopted by the District, or lack of lawful authority to act. Lack of adequate funding from the District and compliance with the Work Program and Performance Standards as adopted by the District shall be absolute defenses to any claim against the City under this Agreement. City further agrees to notify District of apparent violations of the subject Orders, Standards, specifications, work programs, and performance criteria, of which it has knowledge, which may require District legal action or enforcement. Section

3. Division of Responsibilities

A. Division of Responsibilities

1. The purpose of this agreement is to delegate to and contract with the City to perform specific functions. The responsibilities of the District and City are defined in this Section and Appendix A. Exhibit A is a map

showing boundaries of responsibility between the District and City and is hereby made a part of Appendix A and incorporated into this agreement.

2. All functions relating to the subject matter of this Agreement not specifically listed in this Section or Appendix A as being the responsibility of City shall remain the responsibility of the District.

B. Procedure for Modifying the Division of Responsibilities

1. Responsibilities defined in this Section and Appendix A may be modified from time to time with approval in writing by the City Manager or designee and the District General Manager or designee.
2. Responsibilities defined in this Section and Appendix A may be modified by the District Board after receiving input from the City and determining the change is necessary to comply with state or federal permits, laws or regulations. The District Board shall not reduce the total scope of City responsibilities without consent of the City unless there is a change in the program or funding requiring the reduction, or unless the Board determines the City has failed to correct identified instances of nonperformance related to the adopted standards that are necessary to comply with state or federal permits, laws or regulations.
3. Upon reasonable notice from City to District, District shall assume responsibility for any portion of the program defined in this Section and Appendix A. Reasonable notice shall be at least six (6) months, unless agreed to in writing by the District and City. Corresponding adjustments to the revenue allocation shall be made to reflect the change in responsibility upon implementation of such changes. City shall be responsible for correcting or paying to have corrected any deficiencies in the system resulting from non-performance of the programs under its responsibility, subject, however, to funding availability.
4. The responsibilities defined in Appendix A and responsibility boundaries defined in Exhibit A are not changed due to City annexations of area currently inside the District's boundary. Provided that after formal adoption and subsequent consultation between the City and District, service area boundaries may be altered based on Senate Bill 122 boundary revisions. For annexations of territory not currently within the District's boundary, the District will amend Appendix A and Exhibit A to define the responsibilities for the new area in cooperation with the City and in cooperation with adjacent cities.

C. Additional City Responsibilities

1. Prior to issuing any non-residential sanitary sewer permit, City shall require the applicant to prepare and submit to City a District Sewer Use Information form. City shall submit the completed form to the District. The District will determine if an Industrial Waste Discharge Permit is required. The District will respond within 15 days.
2. Require persons who are proposing 'development', as defined in the District's Design and Construction Standards Resolution and Order, to obtain a Service Provider Letter from the District.
3. Following City review and initial approval, forward proposed construction drawings to the District for the following:
 - a) Any addition, modification, construction, or reconstruction (other than repairs) of the publicly-owned sanitary sewerage system and storm and surface water system. District will review these drawings to assure conformance to adopted District standards, orders, and master plans.
 - b) Any "development" as defined in the District's Design and Construction Standards Resolution and Order. District will review these drawings to assure conformance with the conditions of the Service Provider Letter issued following the provisions in Section 3.C.2.

The District shall not charge a fee for these types of reviews. The City shall not approve or issue permits for such work until it receives notification of District approval. The District shall complete its reviews within 15 working days from its receipt of complete construction drawings from the City, otherwise the City may consider the drawings as being approved by the District.

4. The City may notify the District in writing that it wishes the District to issue Connection Permits for either or both of the sanitary or storm water systems. In such cases, the District shall not issue Connection Permits until the City indicates in writing that the development complies with the City's standards. City will collect all connection, permit, and development fees for developments within the City unless City and District agree that the District will collect the fees.
5. Other than for issuance of connection permits, obtain District review and approval prior to entering into any agreement for the use of the Storm and Surface Water System or the Sanitary Sewerage System.
6. Inform the District in writing not less than 30 days prior to initiating or entering into any agreement for the financing or incurring of

indebtedness relating to the storm and surface water system or the sanitary sewerage system. Revenues allocated by the District to the City for the performance of functions identified in Appendix A are considered restricted, and may only be used to perform those functions (including reasonable administration and security for bonds) delegated to the City for such things as operation and maintenance of the sanitary or storm and surface water system. City shall not obligate any assets or facilities of the District's sanitary or storm and surface water system for any debt. For purposes of debt funding, the District's asset schedule for storm and surface water and sanitary sewer facilities shall be the basis for determining ownership within City boundaries. In general, sanitary sewer lines 24" and over are the property of the District regardless of location, as are sanitary treatment plants and pump stations, and storm and surface water quality and quantity facilities that are one acre or greater in surface area.

7. Allow the District access at any reasonable time upon reasonable notice to inspect and test storm and surface water facilities and sewerage facilities within City and City Area of Geographic Responsibility.
8. Grant the District permits from time to time as may be necessary for the installation of storm and surface water facilities and sewerage facilities in the public streets and ways of City without imposing permit issuance fees, but only to the same extent as the City waives such fees for itself, and provided that the District shall adhere to any conditions required pursuant to ORS 451.550(6).
9. To issue no new permit for the construction within, or modification to, a wetland, floodway, or floodplain without first receiving the written approval by the District, pursuant to Section 5.D. This paragraph shall not apply to permits issued by City pursuant to a current permit under 33 USC Section 1344(e) (a section 404 general permit), and within the scope of such permit. This section does not apply to actions related to City flood insurance program. The City retains the responsibility to issue land use approvals and building permits.
10. To pursue, when City deems feasible and appropriate, the conversion of storm and surface water facilities from private to public ownership, through the acquisition of easements and other property rights as necessary, for those privately owned storm and surface water facilities which are identified as being necessary or appropriately a part of the public system.
11. To the extent that it is so required by law or regulation, City shall comply with Oregon Administrative Rules (OAR) Chapter 340, Division 49, "Regulations Pertaining to Certification of Wastewater System

Operator Personnel," including the obligation that City shall have its wastewater collection system supervised by one or more operators certified at a grade level equal to or higher than the system classification shown on page 1 of District's NPDES permit, issued by the State. The District shall notify City of any modification to the NPDES permits affecting their operations.

D. City Responsibilities Outside of its City Limits

1. Notwithstanding the procedures in Section 3.B, City is not obligated by this agreement to accept responsibility for any programs or work activities outside of its City limits unless the City agrees to accept responsibilities outside of the City limits as set forth in Appendix A.
2. To the extent City has agreed to responsibilities both inside and outside of its City limits, for activities which are the responsibility of City, City shall perform the work to meet the minimum requirements specified in the District's adopted Work Programs and Performance Standards. When the same type of service is being performed by City both inside and outside City, the service shall be prioritized and performed in a like manner in each area, including the response to storms and other emergencies. The exception shall be if City provides a higher degree of service inside City due to its own supplemental funding.

Section 4. Determination and Division of Revenue; Operating Procedures and Rules Relating to Revenue

- A. After consultation between City and District staff, the District Board shall determine and certify annually for both the sanitary sewerage system and for the storm and surface water system the monthly service charge and system development charge. The City agrees to impose these charges as a minimum. The City may impose additional charges as allowed in Section 4.E.4.
- B. After consultation between City and District staff, the District Board shall determine and certify annually for both the sanitary sewerage system and for the storm and surface water system the portion of the monthly service charge and system development charge to be retained by the City for performance of the functions defined in this Agreement and for the City's share of annual debt service payment. Except as provided in Section 4.D, District shall notify City by the September preceding the start of the next Fiscal Year of any proposed decrease in the monthly service charge and system development charge to be retained by the City and any other proposed changes that could affect the City's 5-Year Sanitary Sewer or Stormwater Financial Forecast Plans..
- C. The District Board shall not implement any significant change in the division of monthly service charge revenue from that shown in the Rates and Charges

Resolution and Order No. 01-34 effective Fiscal Year 2001/2002 until July 1, 2003 with the following exceptions:

1. The Board may make routine principal and interest adjustments for debt service repayment.
 2. The Board may make adjustments in response to significant increases or decreases in program responsibilities
- D. Changes in the division of revenue will typically be made as a part of the annual Fiscal Year budget process. However, the division of revenue may be adjusted by the District to recognize changes in responsibilities that occur outside the normal budget cycle after coordination and communication with the Cities. Any such mid-year changes in the division of revenue initiated by the District Board shall only be implemented when the Board determines such a change is necessary to comply with state or federal permits, laws or regulations. If there is a mid-year change in responsibilities, which the District determines to be significant, the District Board may, upon 60 days notice to City, adjust the division of revenue outside of the annual budget process
- E. Operating Procedures Relating to Revenue
1. City shall remit to the District the portion of sanitary sewer service charges and systems development charges collected, and storm and surface water service charges and systems development charges collected, less the City Portion, as identified in Section 4.B.
 2. Payments shall be remitted on a monthly basis, with a report on District designated forms.
 3. Payments to the District of revenue collected by the billing party shall be due within 20 days following the end of each month, unless the payment has been appealed by the billing party.
 4. City may charge and collect a service charge or system development charge at a higher rate per DUE and ESU than that set by the District when the City determines it is needed for the local City system. The City shall retain 100% of these additional revenues collected. Such additional charge shall be consistent with the services provided by City and with applicable federal rules in order to preserve eligibility for grants and other funding programs.
 5. City may request District to perform permit and inspection services for private development construction of public storm and surface water facilities and sanitary sewer facilities, and for erosion control. City

shall remit to the District the fee set forth in District's Rates and Charges to compensate District for its costs for such services performed relative to these fees, as prescribed by District Order or separate agreement with City.

6. For Industrial Waste fees, District shall remit to City a percentage of system development charges, volume, and monthly service charges collected equal to the percentages of service charges retained by the City as defined in Section 4.B. District shall retain one hundred percent (100%) of the annual Industrial Waste permit fee, and any penalty fees, COD, SS (as those terms are defined in the Rates and Charges) and other fees related to Industrial Waste that may be assessed.
7. City will institute administrative procedures to diligently maintain regular billings and collection of fees, adjust complaints thereto, and pursue delinquency follow-ups and take reasonable steps for collection thereof.
8. City and District shall each establish separate accounts for the storm and surface water program and sanitary sewerage program for the purpose of accounting for service charges and systems development charges collected and received pursuant to this agreement.
9. District or City may at any reasonable time upon reasonable notice inspect and audit the books and records of the other with respect to matters within the purview of this Agreement.
10. City and District shall each prepare and submit to each other a performance report of the storm and surface water functions, and the sanitary sewer functions for which each is responsible. After consultation with the City, District will specify the requirements, frequency, and content of the performance report.
11. The City and District may, each at its own cost, install permanent and temporary volume and quality monitoring stations, and other monitoring equipment, to determine the effectiveness of City and District programs.
12. Interest may accrue on late monthly payments as specified in Section 4.E.1 at a rate of 1.25 times the monthly Local Government Investment Pool (LGIP) earnings rate as posted for the previous month, and will be applied each month to the unpaid balance.

Section 5. Administrative and Operating Provisions

- A. The District will not extend sewer service to areas outside the City except with prior approval of the City where such areas are included in the Urban Planning Area Agreement between the City and the appropriate county or counties and any of the following exists:
1. A new or existing single family property desires sewer service and needs to directly connect to a sewer line within the city.
 2. A new development desires sewer service and needs to directly connect a lateral or mainline public sewer directly to a sewer line within the city.
- B. Each party shall obtain and maintain in full force and effect for the term of this agreement, at its own expense, comprehensive general liability and automobile insurance policies for bodily injury, including death, and property damage, including coverage for owned, hired or non-owned vehicles, as applicable, for the protection of the party, and the other party, its elected and appointed officials, officers, agents, employees and volunteers as additional insureds. The policies shall be primary policies, issued by a company authorized to do business in the State of Oregon and providing single limit general liability coverage of \$2,000,000 and separate automobile coverage of \$1,000,000 or the limit of liability contained in ORS 30.260 to 30.300, whichever is greater. If either party is unable to obtain insurance as required by this sentence, the parties shall cooperate on amending this Section to require types and levels of insurance that are available. The certificates shall provide that the other party will receive thirty (30) days' written notice of cancellation or material modification of the insurance contract at the address listed below. Each party shall provide certificates of insurance to the other party prior to the performance of any obligation under this agreement. If requested, complete copies of insurance policies shall be provided to the other party. Each party shall be financially responsible for their own deductibles, self-insurance retentions, self-insurance, or uninsured risks.
- C. District will not establish local assessment districts within City, without first obtaining City approval.
- D. District will process applications from City pursuant to Section 3.C.9 for Wetland, Floodplain, and Floodway modifications. Timely review of the application shall be provided by the District. Upon review and approval by District, and upon request by City, the District shall act as a facilitator and liaison for State and Federal review and permit processes.
- E. The City shall report all sanitary sewer overflows that it becomes aware of to the District within 24 hours of learning of the overflow. The City shall require all permittees of the City to report sanitary sewer overflows to the City. City agrees to reimburse District for any expense, costs, damages,

claims, fines, or penalties incurred by District that result from or are related to City's failure to so timely and adequately report.

- F. This agreement is for the benefit of the parties only. Each party agrees to indemnify and hold harmless the other party and its officers, employees, and agents, from and against all claims, demands and causes of actions and suits of any kind or nature for personal injury, death or damage to property or the environment on account of or rising out of the operation of this Agreement, including the performance or non-performance of duties under this Agreement, or in any way resulting from the negligent or wrongful acts or omissions of the indemnifying party and its officers, employees, and agents. In addition, each party shall be solely responsible for any contract claims, delay damages or similar items arising from or caused by the action or inaction of the party under this agreement. Inability to perform an activity or to properly perform because of insufficient funding from the District is not a negligent act or omission or willful misconduct of the party charged with the activity but shall be the responsibility of the District. Performance of any activity in compliance with the Work Program and Performance Standards as adopted by the District is not a negligent act or omission or willful misconduct.
- G. District and City acknowledge that District may receive notices of violation or fines from state or federal agencies for violations of state or federal rules. As the permittee and the entity that establishes standards and controls payment, District shall be responsible for responding to notices of violations and for payment of all fines. District shall invite the City to participate in any discussions with state and federal agencies regarding notices of violation involving City actions or responsibility. City will cooperate with District in the investigation and response to any notice of violation involving actions relating to actions or responsibilities of the City. If a fine is imposed, City shall reimburse District to the extent that the fine results from non-performance of adopted programs or non-compliance with District, state, or federal rules or policies by the City and those acting on behalf of the City. If possible, the City shall reimburse the District prior to the date due for payment of the fine. The City shall not be responsible for reimbursement if the City's non-performance or non-compliance was caused by lack of adequate funding by District. If more than one party is responsible, the City's responsibility for reimbursement payment will be allocated based on the degree of responsibility and degree of fault of the City. Disputes over the amount of reimbursement shall be resolved by the dispute resolution process set out in Section 6 of this Agreement. To the extent that the City is required to perform any work to correct a violation, District shall provide adequate funding for the work to be performed, unless the violation was caused by the City's omission or misconduct.

- H. Nothing in this Agreement shall be construed as a limitation upon or delegation of the statutory and home rule powers of City, nor as a delegation or limitation of the statutory powers of District. This Agreement shall not limit any right or remedy available to City or District against third parties arising from illegal acts of such third parties.
- I. Where this Agreement calls for review or approval of a fee or charge, District shall perform such review in a timely manner, shall not unreasonably withhold approval, and shall provide its decision to City in writing. If, within 30 days of written request by City for approval by District, the District has failed to provide a written response, the request shall be deemed approved.

Section 6. Dispute Resolution; Remedies

- A. In the event of a dispute between the parties regarding their respective rights and obligations pursuant to this Agreement, the parties shall first attempt to resolve the dispute by negotiation. If a dispute is not resolved by negotiation, the exclusive dispute resolution process to be utilized by the parties shall be as follows:
 - 1. Step 1. Upon failure of those individuals designated by each party to negotiate on its behalf to reach an agreement or resolve a dispute, the nature of the dispute shall be put in writing and submitted to City's Chief Executive Officer and District's General Manager, who shall meet and attempt to resolve the issue. If the issue in dispute is resolved at this step, there shall be a written determination of such resolution, signed by City's Chief Executive Officer and District's General Manager, which determination shall be binding on the parties. Resolution of an issue at this step requires concurrence of both parties' representatives.
 - 2. Step 2. In the event a dispute cannot be resolved at Step 1, the matters remaining in dispute after Step 1 shall be reduced to writing and forwarded to the Mayor and the Chairman of the Board of Directors. Upon receipt of the written issue statement, the Mayor and Chairman shall meet and attempt to resolve the issue. If the issue is resolved at this step, a written determination of such resolution shall be signed by the Mayor and Chairman. Resolution of an issue at this step requires concurrence of both the Mayor and the Chairman.
 - 3. Step 3. In the event a dispute cannot be resolved at Step 2, the parties shall submit the matter to mediation. The parties shall attempt to agree on a mediator. In the event they cannot agree, the parties shall request a list of five (5) mediators from the American Arbitration Association, or such other entity or firm providing mediation services to which the parties may further agree. Unless the parties can

mutually agree to a mediator from the list provided, each party shall strike a name in turn, until only one name remains. The order of striking names shall be determined by lot. Any common costs of mediation shall be borne equally by the parties, who shall each bear their own costs and fees therefor. If the issue is resolved at this step, a written determination of such resolution shall be signed by both parties. Resolution of an issue at this step requires concurrence by both parties. In the event a dispute is not resolved by mediation, the aggrieved party may pursue any remedy available to it under applicable law.

- B. Neither party may bring a legal action against the other party to interpret or enforce any term of this Agreement in any court unless the party has first attempted to resolve the matter by means of the dispute resolution of subsection A above. This shall not apply to disputes arising from a cause other than interpretation or enforcement of this Agreement.
- C. Parties may mutually agree in writing to waive any of the above steps, or to enter into alternate processes or additional processes such as binding arbitration prior to filing legal action.

Section 7. Effect of this Agreement

This Agreement shall supersede all prior agreements of similar scope and subject matter, including amendments and the “City Committee Agreement” between the parties with respect to sanitary sewerage and service, storm and surface water management; provided that, except as expressly modified herein, all rights, liabilities, and obligations of such prior agreements shall continue. This Agreement shall be effective upon its execution by both parties hereto, and shall continue in effect for four renewable terms of five years each. This Agreement shall be deemed automatically renewed for a single succeeding five year term up to a limit of 25 years, unless either party gives the other written notice not less than one year prior to the nominal expiration of term of its intent not to renew this agreement. If District enters into an intergovernmental agreement with any other city in its territory covering the same subject as this Agreement and if any of the provisions of the other agreement differ from this Agreement, the City may elect to replace any provision of this Agreement with the parallel provision from the other agreement, with the exception of Appendix A and Exhibit A. The replacement shall be effective on receipt by District of written notice from the City. This Agreement may not otherwise be modified except by written amendment or as otherwise specified in this Agreement.

Section 8. Amendments

At any time, either party may request in writing to open this Agreement for specific amendment. If such request is made, the other party must respond within 90 days. If the parties do not agree and the party requesting such amendment desires to proceed with the

amendment, then remedies pursuant to Section 6 shall apply. All amendments shall be in writing and approved by the governing body of the respective parties.

Section 9. Severability

In the event a court of competent jurisdiction shall deem any portion or part of this Agreement to be unlawful or invalid, only that portion or part of the Agreement shall be considered unenforceable. The remainder of this Agreement shall continue to be valid.

IN WITNESS WHEREOF, this instrument has been executed in duplicate by authority of lawful actions by the Council and District Board of Directors.

CLEAN WATER SERVICE
OF WASHINGTON COUNTY, OREGON

CITY OF _____, OREGON

By _____
Chairman, Board of Directors

By _____
Mayor

Approved as to Form:

Attest: _____
City Recorder

Attorney for District

City Attorney

APPENDIX A	1/14/2003		
DIVISION OF RESPONSIBILITIES	EFFECTIVE THROUGH JUNE 30, 2003		
TIGARD			
Basic Workplan	Inside City Limits	Outside City Limits	
Sanitary Maintenance			
Lines under 24"			
Line Cleaning	City	District	
Root Cutting	City	District	
Emergency response	City	District	
Overflow and Complaint response and investigation	City	District	
Cross connection investigation and response	City	District	
Manhole adjustment	City	District	
Non-structure line sealing and point repair	City	District	
Manhole rehabilitation (sealing)	City	District	
TV inspection	City	District	
Compilation of TV reports and system evaluation	City	District	
I&I abatement and system rehabilitation projects	District and City	District	
Root Foaming	City	District	
Structural line repairs	City	District	
Line replacements	City	District	
Pump station maintenance	District	District	
Lines 24" and Larger			
All maintenance, inspection, repair, and replacement	District	District	
SWM Maintenance			
Line Cleaning	City	District	
Root Cutting	City	District	
Catch Basin cleaning	City	District	
Water quality manhole maintenance	City	District	
Storm and emergency response	City	District	
Complaint response and investigation	City	District	
Street Sweeping	City	District	
Water Quality facility maintenance	City for local District for Regional	District	
Water Quantity facility maintenance	City for local District for Regional	District	
Maintenance of public Streams/creeks/open channels	City	District	
Processing and disposal of sweeper, catch basin and storm line material	City	District	
Structural line repairs	City	District	
Line replacements	City	District	
Pump station maintenance and operation	District	District	

Roadside ditches and piping system in County Roads	District	District	
TV inspection	City	District	
Compilation of TV reports and system evaluation	City	District	
Proactive Leaf management program	City	District	
ENGINEERING, INSPECTION, AND SUPPORT ELEMENTS			
Development Process (development review, plan review)	City	District	
Sanitary Sewer connection permit issuance	City	District	
SWM connection permit issuance	City	District	
Billing and collection of monthly service charges	City	District	
Inspection of developer projects	City	District	
Installation of Sanitary Sewer Masterplan Projects	City 21" and less, District 24" & up	District	
Installation of Masterplan Pump Station Projects	District	District	
Installation of SWM Masterplan Projects	City	District	
Erosion control permit issuance	City	District	
Erosion control inspection	District	District	
Accounting	City	District	
Industrial Waste Program	District	District	
Maintaining GIS information	City and District	District	
Maintaining system mapping	City and District	District	
Maintaining Engineering records of systems	City and District	District	
Preparing and revising sanitary sewer masterplans	District	District	
Preparing and revising SWM masterplans	District	District	
Response to customer billing inquiries	City	District	
Public information, newsletters, etc., for SWM and Sanitary programs	City and District	District	

APPENDIX A		1/14/2003	
DIVISION OF RESPONSIBILITIES		EFFECTIVE JULY 1, 2003	
Tigard	Inside City, and Inside Responsibility Boundary	Outside City, and Inside Responsibility Boundary	Inside City, and Outside Responsibility Boundary *(See Note Below)
Sanitary Maintenance			
Lines under 24"			
Line Cleaning	City	City	
Root Cutting	City	City	
Emergency response	City	City	
Overflow and Complaint response	City	City	
Cross connection investigation and response	City	City	
Manhole adjustment	City	City	
Non-structure line sealing and point repair	District	District	
Manhole rehabilitation (sealing)	District	District	
TV inspection	City	City	
Compilation of TV reports and system evaluation	District	District	
I&I abatement and system rehabilitation projects	District	District	
Root Foaming	District	District	
Structural line repairs	District Funds, Work done as determined by City and District	District Funds, Work done as determined by City and District	
Lateral Repairs in Public Right of Way	District Funds, Work done as determined by City and District	District Funds, Work done as determined by City and District	
Line replacements	District Funds, Work done as determined by City and District	District Funds, Work done as determined by City and District	
Pump station maintenance	District	District	
Vector Control	City	City	
Utility Locates	City	City	
Offroad inspection and locator post maintenance	City	City	
Easement and Access Road Maintenance	City	City	
Lines 24" and Larger			
All maintenance, inspection, repair, and replacement	District	District	
SWM Maintenance			
Line Cleaning	City	City	
Root Cutting	City	City	

Catch Basin cleaning	City	City	
Water quality manhole maintenance	City	City	
Storm and emergency response	City	City	
Complaint response investigation and reporting	City	City	
Street Sweeping	City	City	
Water Quality facility maintenance	City Local, District Regional	City Local, District Regional	
Water Quantity facility maintenance	City Local, District Regional	City Local, District Regional	
Maintenance of public Streams/creeks/open channels	City	City	
Processing and disposal of sweeper, catch basin and storm line material (excluding leaves)	District	District	
Structural line repairs	District Funds, Work done as determined by City and District	District Funds, Work done as determined by City and District	
Line replacements	District Funds, Work done as determined by City and District	District Funds, Work done as determined by City and District	
Pump station maintenance and operation	District	District	
Roadside ditches and piping system in County Roads	District	District	
Roadside ditches and piping system in City Roads	City, Funded by Street Fund	None	
TV inspection	City	City	
Compilation of TV reports and system evaluation	District	District	
Proactive Leaf management program	City	City	
Utility Locates	City	City	
ENGINEERING, INSPECTION, AND SUPPORT ELEMENTS			
Development Process (development review, plan review)	City	District	
Sanitary Sewer connection permit issuance	City	District	
SWM connection permit issuance	City	District	
Billing and collection of monthly service charges	City	District	
Inspection of developer projects	City	District	
Installation of Sanitary Sewer Masterplan Projects	City 21" and under, District 24" & up	District	
Installation of Masterplan Pump Station	District	District	
Installation of SWM Masterplan Projects	City	District	
Erosion control permit issuance	City	District	
Erosion control inspection	District	District	
Accounting	City	District	

Industrial Waste Program	District	District	
Fat, Oil, Grease Program	District	District	
Maintaining GIS information	City and District	City and District	
Maintaining system mapping	City and District	City and District	
Maintaining Engineering records of systems	City and District	City and District	
Preparing and revising sanitary sewer masterplans	District	District	
Preparing and revising SWM masterplans	District	District	
Response to customer billing inquiries	City	District	
Public information, newsletters, etc., for SWM and Sanitary programs	City and District	City and District	
Flow Monitoring	District	District	
Formation and Administration of LID's	City and District	District	
Inspection of Private Facilities	City	District	
Marking Utilities	City	District	
Fixture Counting	District	District	
Field Yard General Maintenance	City	District	
* For "Inside City, and Outside Responsibility Boundary", This column is blank because there are no areas that this applies to. In the future, if there are areas, the responsibilities will be defined.			

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Approve Intergovernmental Agreement between City of Tigard and Multnomah County for Mosquito Control Services.

PREPARED BY: Ed Wegner DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Council to approve the Intergovernmental Agreement (IGA) with Multnomah County for mosquito control services and authorize the City Manager to sign such agreement.

STAFF RECOMMENDATION

Staff recommendation to have City Manager authorized to sign the Intergovernmental Agreement with Multnomah County.

INFORMATION SUMMARY

The City of Tigard currently participates in a joint agreement with Multnomah County through an agreement that is administered by the City of Durham for mosquito control services. This agreement has become important with the West Nile virus being spread by mosquitoes. Monitoring and control of the mosquito larvae significantly reduces the adult mosquito population that spreads the virus. In the past these services were provided through Multnomah County with an agreement executed by the City of Durham.

Multnomah County would like to have each jurisdiction sign an individual IGA for these contracted services rather than continue working with other agencies. This IGA is intended to formalize the current relationship between Multnomah County and the City of Tigard.

The IGA is basically the same services that have been provided in the past and the same language is included in the IGA.

OTHER ALTERNATIVES CONSIDERED

Discontinue mosquito control services with Multnomah County.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

ATTACHMENT LIST

1. Agreement

FISCAL NOTES

Funding for this project exists within the Parks Division budget in the amount of \$1,500.

GOVERNMENT CONTRACT (190 AGREEMENT)

This is an Agreement between City of Tigard hereafter (CITY) and Multnomah County (COUNTY), pursuant to authority granted in ORS Chapter 190.

PURPOSE:

The purpose of this agreement is:

Whereas, CITY desire mosquito control services for their respective jurisdiction

Whereas, COUNTY is able and prepared to provide mosquito control services for CITY jurisdictions under the terms and conditions hereinafter described:

The parties agree as follows:

- 1 **TERM:** The term of this agreement shall be from April 1, 2003 to December 31, 2004.
2. **RESPONSIBILITIES OF COUNTY:** The COUNTY agrees to provide mosquito control services in City of Tigard at following locations Cook Park, Summer Lake Park and the storm water pond adjacent to 10485 SW Titan Ln (see attached maps). These services shall include the following;
 - a. Identify those mosquito species present in numbers sufficient to cause a public health threat or nuisance
 - b. Identify the locations that are producing, or have the potential to produce, these species.
 - c. Prepare and submit a Pesticide Use Plan to the Oregon Health Division as require by ORS 452.300.
 - d. Submit approved Pesticide Use Plan to City of Tigard annually.
 - e. Design and implement an IPM monitoring and control program. COUNTY and CITY shall mutually agree on the program to be implemented. IPM control program to run from April to September of each calendar year.
 - f. Provide consultation and advice to CITY regarding the use of water management and physical or mechanical alteration of breeding sites as alternative methods to chemical and biological controls.
 - g. Conduct a minimum of two visits to contract area each month of control program – possible more (based on the number of complaints)
 - h. If complaints are about adult mosquitoes, set traps out in area and provide verbal report of results to agency generating complaint.

Minimize time spent of formal (written) reports to CITY.

3. RESPONSIBILITIES OF CITY: CITY agrees to:

- a. Maintain written consent from local jurisdictions and private owners of all affected properties granting COUNTY permission to access the properties and to conduct the mosquito surveillance and control activities described herein. CITY shall provide COUNTY with copies of written consent upon COUNTY'S request.
- b. Provide local jurisdictions, property owners and any other interested parties with copies of health and safety information on the pesticides to be used.
- c. Handle all citizen complaints regarding mosquitoes and the services provided under this Agreement, and forward this information to COUNTY.

4. COMPENSATION: CITY agrees to reimburse COUNTY \$1,500.00 annually for the performance of those services provided hereunder, which payment shall be based on the following terms:

- a. This compensation rate is guaranteed through December 31, 2004. With prior written notice to CITY, COUNTY may adjust its rates for each year thereafter. Annual fee increases will be based on changes in COLA and fluctuations in indirect costs, or otherwise specified.
- b. CITY and COUNTY will mutually agree on a maximum budget for each contract year prior to commencement of services.
- c. CITY shall reimburse COUNTY semi-annually upon receipt of an invoice (June and December). Payment terms shall be net 30 days.
- d. Invoices shall be sent to

Steve Martin
City of Tigard
13125 SW Hall Blvd
Tigard, OR. 97223

- e. CITY certifies that sufficient funds are available and authorized to finance the costs of this Agreement. In the event that funds cease to be available to CITY in the amounts anticipated, either CITY or COUNTY may terminate the Agreement or the parties by mutual agreement may reduce Agreement funding accordingly. CITY will notify COUNTY as soon as it receives notification from funding source. Reduction or termination will not affect payment for accountable expenses prior to the effective date of such action.

5. TERMINATION: This agreement may be terminated by either party upon (30) days written notice.

6. INDEMNIFICATION: Subject to the conditions and limitations of the Oregon Constitution and the Oregon Tort Claims Act, ORS 30.260 through 30.300, COUNTY shall indemnify, defend and hold harmless CITY from and against all liability, loss and costs arising out of or resulting from the acts of COUNTY, its officers, employees and agents in the performance of this agreement. Subject to the conditions and limitations of the Oregon Constitution and the Oregon Tort Claims Act, ORS 30.260 through 30.300 CITY shall indemnify, defend and hold harmless COUNTY from and against all liability, loss and costs arising out of or resulting from the acts of CITY its officers, employees and agents in the performance of this agreement.

7. **INSURANCE:** Each party shall each be responsible for providing worker's compensation insurance as required by law. Neither party shall be required to provide or show proof of any other insurance coverage.
8. **ADHERENCE TO LAW:** Each party shall comply with all federal, state and local laws and ordinances applicable to this agreement.
9. **NON-DISCRIMINATION:** Each party shall comply with all requirements of federal and state civil rights and rehabilitation statutes and local non-discrimination ordinances.
10. **ACCESS TO RECORDS:** Each party shall have access to the books, documents and other records of the other which are related to this agreement for the purpose of examination, copying and audit, unless otherwise limited by law.
11. **SUBCONTRACTS AND ASSIGNMENT:** Neither party will subcontract or assign any part of this agreement without the written consent of the other party.
12. **THIS IS THE ENTIRE AGREEMENT:** This Agreement constitutes the entire Agreement between the parties. This Agreement may be modified or amended only by the written agreement of the parties.

MULTNOMAH COUNTY, OREGON

By Lillian Shirley
Lillian Shirley, Health Department Director

Date 11/26/02

By Chris Wirth
Chris Wirth, Program Manager

Date 11-25-02

CITY OF TIGARD

By _____

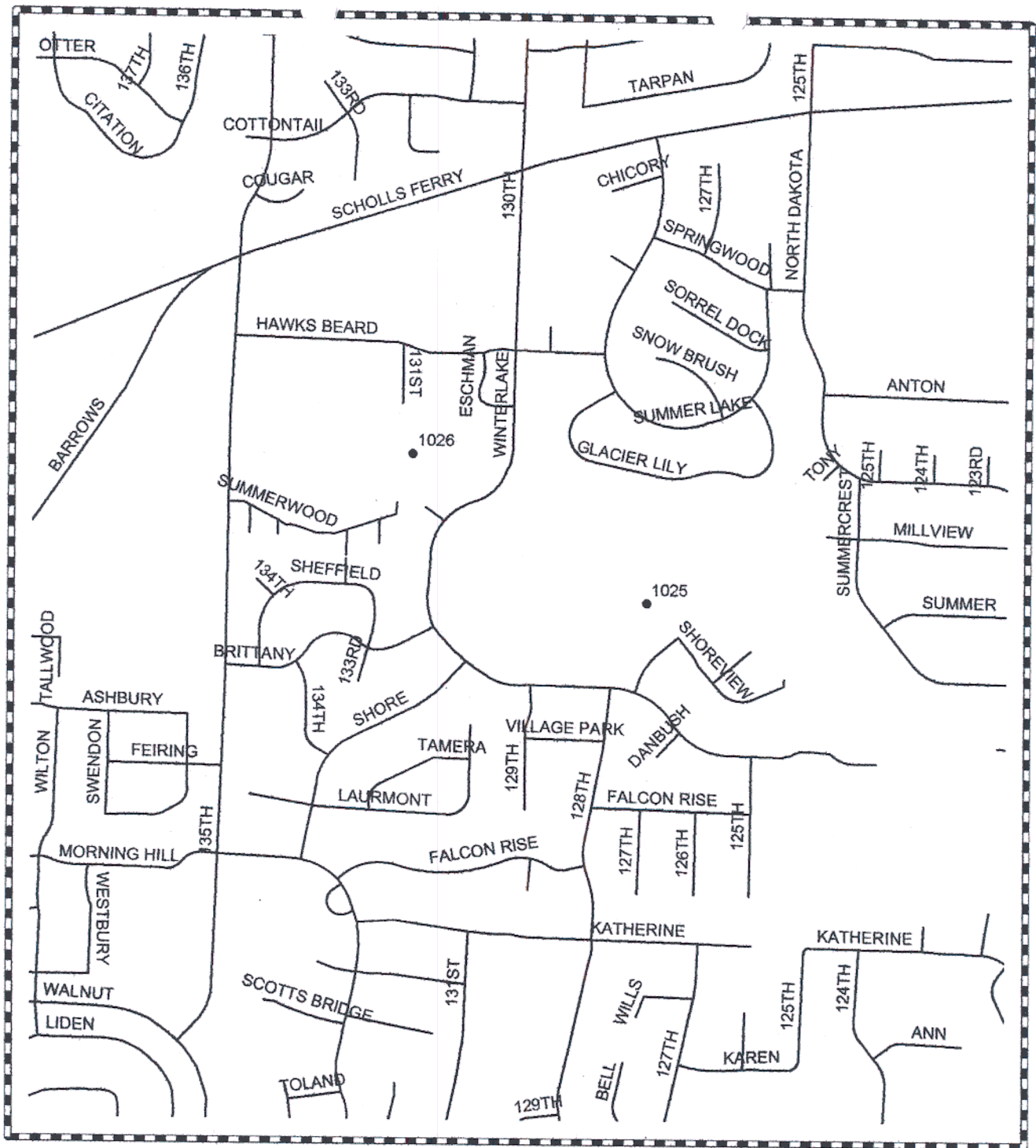
Title _____

Date _____

Reviewed:
TOM SPONSLER, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY

By Katie Gaetjens - 12/6/02
Katie Gaetjens, Assistant County Attorney

Approved as to form



Site Numbers 1025 & 1026 Are City
Of Tigard Properties at
Summer Lake Park

AGENDA ITEM # _____
FOR AGENDA OF January 28, 2003

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Award of the Contract for the Construction of the Durham Road Traffic Signalization at 98th Avenue Project

PREPARED BY: G. Berry DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Shall the Local Contract Review Board approve the award of the contract for the construction of the Durham Road Traffic Signalization at 98th Avenue Project?

STAFF RECOMMENDATION

That the Local Contract Review Board, by motion, approve the award of the contract to Parker Northwest Paving Company in the amount of \$148,394.70.

INFORMATION SUMMARY

SW 98th Avenue, classified as a neighborhood route, connects to Durham Road at a tee intersection near Summerfield, a residential community for retirees. Durham Road, classified as an arterial, provides a connection between Pacific Highway and SW 72nd Avenue. The high volume of traffic on Durham Road causes excessive delays to southbound motorists on SW 98th Avenue and to pedestrians crossing Durham Road, particularly during peak periods of traffic.

The project is intended to improve traffic flow and safety by installing a three-way traffic signal and a three-way pedestrian actuated crossing signal at the intersection. In addition, the three hundred foot approach along SW 98th Avenue from the intersection will be widened on the west side for a total street width of forty feet to provide for a left turn lane onto Durham Road. A sidewalk will be installed along the widened portion of SW 98th Avenue to bridge a portion of the street without sidewalks to the existing sidewalk ramp at the northwest corner of the intersection. Two catch basins and drainage pipe will be installed to reconfigure the drainage system on the widened portion of SW 98th Avenue. Sanitary sewer laterals will be installed at the northwest corner of the intersection to avoid the need to remove new pavement when owners connect to the sewer main. Driveways will be provided for the lots abutting the widened portion of the street.

The bid opening was conducted on December 23, 2002. The bid results are:

Parker Northwest Paving	Oregon City, OR	\$148,394.70
Kerr Contractors	Tualatin, OR	\$149,291.70
D & D Concrete & Utilities	Tualatin, OR	\$156,403.00

Benge Construction	Tualatin, OR	\$157,657.00
All Concrete Specialties	Vancouver, WA	\$159,039.00
Camrock Excavation	Boring, OR	\$165,044.99
Eagle-Elsner	Tigard, OR	\$167,941.90
Nutter	Vancouver, WA	\$168,571.00
KT Contracting	Salem, OR	\$186,559.00
EC	Albany, OR	\$188,825.00
Highlite Construction	Brush Prairie, WA	\$193,969.41
Engineer's Estimate		\$134,000.00

Although the lowest responsive bid is higher than the Engineer's Estimate, the range of bid amounts and the grouping of several bids at the \$150,000 to \$160,000 level indicates that a rebid of the project would not result in a lower bid. Based on the bids submitted, the low bid of \$148,394.70 appears reasonable and is recommended for award.

OTHER ALTERNATIVES CONSIDERED

N/A

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

The Durham Road Traffic Signalization at 98th Avenue Project meets the Tigard Beyond Tomorrow goals of "Improve Traffic Flow" and Improve Traffic Safety."

ATTACHMENT LIST

None

FISCAL NOTES

This project is funded through the FY 2002-03 Capital Improvement Program by the Traffic Impact Fee Fund.

AGENDA ITEM # _____
FOR AGENDA OF January 28, 2003

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Award of a contract for appraisal and land acquisition services for the Walnut Street and SW 121st Av Improvement Project

PREPARED BY: G. Berry DEPT HEAD OK: Agustin P. Duenas CITY MGR OK: Wm. A. Monahan

ISSUE BEFORE THE COUNCIL

Shall the Local Contract Review Board approve the award of the contract for appraisal and land acquisition services for the Walnut Street and SW 121st Av. Improvement Project?

STAFF RECOMMENDATION

That the Local Contract Review Board, by motion, approve the award of the contract to Right-of-Way Associates, Inc. in the amount of \$118,625.00.

INFORMATION SUMMARY

The Walnut Street and SW 121st Av. Improvement Project will widen Walnut Street from SW 116th Avenue to Tiedeman Avenue and SW 121st Avenue from Rose Vista Drive to Tippitt Place to collector street standards. Currently, only the design and right-of-way acquisition portion of the project is funded. The proposed services contract would provide the property negotiation services and appraisals required to accomplish the right-of-way acquisition for all thirty five lots within the Walnut Street project and five of the lots within the SW 121st Avenue project. Right-of-way acquisition for the remaining lots within the SW 121st Avenue project will be completed once additional funding is available.

The consultant was selected through a request for proposal process on February 4, 2001. The proposal applied to all capital improvements projects on an as-needed basis and expired on December 31, 2002, but has been extended to December 31, 2003.

OTHER ALTERNATIVES CONSIDERED

None

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

The Walnut Street and SW 121st Av. Improvement Project meets the Tigard Beyond Tomorrow goals of "Improve Traffic Flow" and "Improve Traffic Safety."

ATTACHMENT LIST

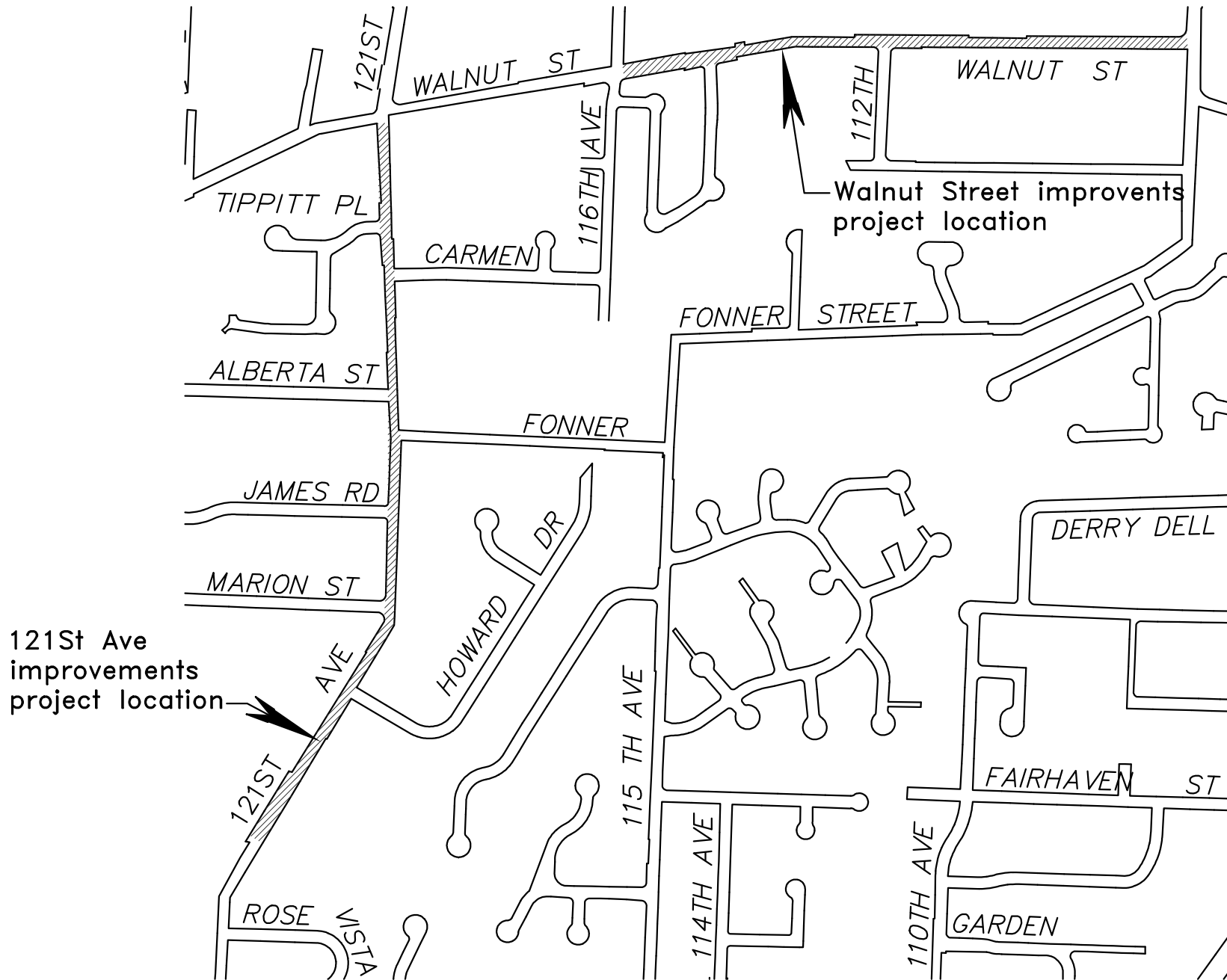
Vicinity Map

FISCAL NOTES

The design and right-of-way acquisition portion of these projects is funded in the amount of \$800,000 through the City and Urban Services Traffic Impact Fees.

\\Tig333\usr\DEPTS\ENG\2002-2003 FY CIP\121st - Walnut Property \1-14-03 Walnut Acquisitions AIS.doc

121ST & WALNUT STREET IMPROVEMENTS



VICINITY MAP

NTS

AGENDA ITEM # _____
FOR AGENDA OF 1-28-03

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Authorize the purchase of 16 foot mower

PREPARED BY: Steve Martin DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

The Issue before the Local Contract Review Board is the purchase of a Jacobson HR-9016 mower from Machinery Components Company Inc. in the amount of \$60,108.00

STAFF RECOMMENDATION

Staff recommends that the Local Contract Review Board authorize the purchase of a Jacobson HR-9016 under the cooperative purchasing agreement using Springfield School Districts specifications.

INFORMATION SUMMARY

The Parks and Grounds Division propose to purchase a new 16 foot wide mower. This mower will replace a twelve year old 16 foot mower.

In August, 2001 the Springfield School District awarded a bid for the purchase of a Jacobson HR-9016 16 foot Rotary Deck Diesel Powered Mower from Farwest Equipment of Portland (Subsequently bought by Machinery Components Inc.). The bid was advertised and two bids meeting the requirements were received. This bid established a price agreement with the option to renew annually for 5 years and allows other publicly funded city, county, district, agency, or other similar entity to purchase this equipment under the terms and conditions of the agreement. There does not exist at this time another State of Oregon bid for mowers of this size.

The proposed mower will be used weekly to mow sports fields and other large turf areas. This mower allows the cutting of the sports fields in short windows of time twice per week. The proposed mower will replace a twelve year old piece of equipment that is past its useful life expectancy. The older piece of equipment has been in the shop 44 times for unscheduled maintenance with repair costs over \$12,000 during the last two mowing seasons. The additional \$1,080 accounts for the purchase of a roll bar and road lights in lieu of purchase of the cab option.

The proposed mower is needed to mow turf quickly and efficiently especially during the summer season especially when the sports fields are heavily used. The 16 foot mower is the largest and fastest machine for mowing the large turf areas in the park system. Without this mower it would take the next two largest mowers and two operators to cut the same amount of grass in the same time. The speed and efficiency of the new mower will be especially important with a growing park maintenance inventory.

OTHER ALTERNATIVES CONSIDERED

Reject the option of purchasing this mower under this cooperative purchasing agreement.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

N/A

ATTACHMENT LIST

1. Copy of final quote sheet from Machinery Components, Inc.

FISCAL NOTES


Cost of Mower is \$60,108.00. The mower is budgeted at \$80,000.00 in the 2002-03 budget under line item 100-1600-706000 in the Parks and Grounds budget.

QUOTATION

DATE 1/9/03 PAGE _____
CUSTOMER CITY OF TIGARD CONTACT STEVE MARTIN
ADDRESS 13125 SW HALL BLVD
CITY TIGARD STATE OR ZIP 97223
PHONE (503) 718-2598 FAX (503) 684-8840
PREPARED BY ROGER HENDERSON

DESCRIPTION	PRICE	EXTENDED
<u>JACOBSEN HR 9016</u>	<u>\$59,025</u>	<u>\$59,025</u>
<u>W/ ROPS</u>		
<u>- 87hp Detroit Diesel Turbo</u>		
<u>charged engine, 2wd transport</u>		
<u>4wd mow, servo controlled</u>		
<u>hydrostat traction system,</u>		
<u>hydro rotary deck drive w/</u>		
<u>individual deck lift system,</u>		
<u>power steering w/ tilt wheel</u>		
<u>deluxe seat w/ air ride</u>		
<u>suspension, pneumatic</u>		
<u>casters (NO CAB OPTIONS)</u>		
<u>OPTION: ROAD PACKAGE KIT,</u>		
<u>CRUISE CONTROL, CANOPY SHADE,</u>		
<u>WEIGHT KIT, WORKING LIGHT KIT,</u>		
<u>LEAF MULCHER KIT,</u>		

TERMS CASH OR FINANCING AVAILABLE
NOTES THIS QUOTE IS MACHINE & ROPS ONLY. NO
LIGHT KIT INCLUDED.

SIGNED 
ACCEPTED _____
OFFER EXPIRES _____



1200 SOUTH DEARBORN STREET, SEATTLE, WA
(206) 328-1750
WA TOLL-FREE 800-732-1108 FAX: 206-322-1435

AGENDA ITEM # _____
FOR AGENDA OF 1-28-03

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Authorize the Purchase of Volvo 10 Yard Dump Truck

PREPARED BY: Sam Morrison DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

The Issue before the Local Contract Review Board is the purchase of a Volvo VHD64B200 Cab chassis w/10 yard Columbia dump body as per State contract in the amount of \$ 105,081

STAFF RECOMMENDATION

Staff recommends that the Local Contract Review Board authorize the purchase of a Volvo VHD64B200 Cab chassis w/10 yard Columbia dump body options under the cooperative purchasing agreement using State of Oregon specifications.

INFORMATION SUMMARY

The Water Division proposes to purchase a Volvo 10 yard dump truck which will replace an existing 1978 GMC Brigadier dump truck.

In October of 2001 bid was awarded through the State of Oregon allowing renewal options for a period of years. This bid allows other publicly funded city, county, district, agency, or other similar entity to purchase this equipment under the terms and conditions of the agreement. At this time, no other bids exist for mowers of this size.

This purchase will replace an existing 10 yard dump truck that is used almost daily by the Water Division construction crew. This existing piece of the equipment is well beyond its life expectancy and requires a significant amount of repair costs. The proposed dump truck will be utilized by the crew for various construction projects throughout the year.

OTHER ALTERNATIVES CONSIDERED

Reject the option of purchasing dump truck under this cooperative purchasing agreement.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

N/A

ATTACHMENT LIST

1. Vehicle Specifications and quote sheet

FISCAL NOTES

Cost of dump truck is \$105,081 and funds (\$170,000) were budgeted in the 2002-03 Water Division budget.

Revised Quote

January 4, 2003

Quote Prepared for:

City of Tigard
Ben Tracy
Fleet Maintenance Supervisor
13125 SW Hall Blvd.
Tigard, OR 97233

Please find the revised specifications and pricing for a new Volvo VHD64B chassis complete with Columbia Body dump body.

Chassis pricing per provided specs.	\$86,144.00
Columbia Body pricing.	\$23,655.00
Add for traction control.	\$282.00
Less Trade allowance for	-\$5,000.00
1987 GMC #523202	
Net truck cost	\$105,081.00

Current Volvo build schedule is the 1st week of April. If the truck was ordered in the next couple of weeks you could plan on seeing it by mid May.

Please call me if you have any questions.

Thank you,

Kirtus Hibbard
TEC Equipment

AGENDA ITEM # _____
FOR AGENDA OF January 28, 2003

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Approve Council Goals for 2003

PREPARED BY: William A. Monahan DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Review and approve the Council Goals for 2003.

STAFF RECOMMENDATION

Review and approve the Council Goals for 2003.

INFORMATION SUMMARY

The City Council met in a goal-setting session on Monday, January 6, 2003. The Council reviewed the progress made toward attaining completion of the goals Council set for 2002. Council discussed goals to be carried over into 2003 as well as potential new goals to be initiated.

OTHER ALTERNATIVES CONSIDERED

N/A

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Visioning goals are identified throughout the goals and tasks developed by the City Council.

ATTACHMENT LIST

Goal List

FISCAL NOTES

N/A



2003 Tigard City Council Goals

GOAL 1— FINANCIAL STRATEGY

GOAL 2—TIGARD CENTRAL BUSINESS DISTRICT

GOAL 3—TRANSPORTATION

GOAL 4—PARKS AND RECREATION

GOAL 5—WATER

GOAL 6—GROWTH MANAGEMENT

GOAL 7—COMMUNICATION



GOAL 1: FINANCIAL STRATEGY

- A. Develop a sustainable long-term financial plan or strategy for issues such as:
 - 1. General Fund needs
 - 2. Library
 - 3. Transportation
 - 4. Parks and open space
 - 5. Washington Square Regional Center
 - 6. Central Business District
 - 7. Water System
- B. Explore the creation of an economic development program.

GOAL 2: TIGARD CENTRAL BUSINESS DISTRICT

- A. Create a common vision for the Central Business District and build the energy to implement that vision through the Downtown Task Force.
- B. Support the activities of the Downtown Task Force as they provide input to the design of the Tigard commuter rail station and the zoning and development plan standards for the Central Business District.

GOAL 3: TRANSPORTATION

- A. Aggressively pursue solutions to congestion of state, county and city facilities that cross through Tigard.
 - 1. Reforming the Transportation Financing Task Force
 - 2. Identify funding needs for state and city facilities
- B. Continue working with Tri-Met to identify and fund additional intra-city bus routes.
- C. Right-of-way management.



GOAL 4: PARKS AND RECREATION

- A. Continue the efforts of the Youth Forum and parks master plans.
- B. Explore the creation of a Parks and Recreation Advisory Board.

GOAL 5: WATER

- A. Continue to evaluate options for a long-term water supply.

GOAL 6: GROWTH MANAGEMENT

- A. Continue to evaluate Tigard's role in the provision of urban services outside the city limits.

GOAL 7: COMMUNICATION

- A. Increase Tigard's communication with other elected bodies through active participation of City Council members and staff.
- B. Improve and expand communication with citizens, particularly communicating successes and future concerns.

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Affordable Housing Fee Assistance Presentations

PREPARED BY: Duane Roberts DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Should Council award budgeted housing fee assistance funds to an applicant requesting assistance?

STAFF RECOMMENDATION

After reviewing the completed application and listening to the presentation, Council should act on the request. Staff has reviewed the completed application and determined that the request complies with all program guidelines.

Should Council decide to grant full assistance as requested, staff recommends Council authorize up to \$4,500 in fee reimbursement, with the actual amount to be determined based on the eventual fees and charges assessed.

INFORMATION SUMMARY

In September 2002, Council adopted the Affordable Housing Program, intended to emphasize and encourage affordable housing in the Tigard community. The program includes a range of land use and non-land use affordable housing promotion tools and strategies. One of the non-land use tools is a new budget set-aside designed to reduce fees and charges imposed on affordable housing acquisition, development, and rehabilitation. The first year (FY 02-03) budget amount is \$10,000. According to program guidelines, applications for assistance will be accepted twice per year, at the beginning and middle of the fiscal year. Because of start-up delays, only one opportunity to apply was available this first fiscal year.

In late-October, Council adopted a set of ten guidelines that define the requirements and conditions for the award of the subsidy funds to housing providers. A copy of the guidelines is attached. According to these guidelines, public agencies, nonprofit organizations, and for-profit entities are all eligible to apply. In December, staff sent notices by both email and regular mail to each of several potential applicants and other potentially interested organizations. These included the Tualatin Valley Housing Partners, Housing Development Corporation, Community Partners for Affordable Housing, Washington County Department of Housing Services, Home Builders Association of Metro Portland, Vision Action Network, Housing Connections.Org, Housing Advocacy Group, and Portland HUD Housing Division. A notice and application packet also was placed on the City webpage under Hot Topics.

One application was received during this first initial funding round. This is a Community Partners for Affordable Housing (CPAH) request for \$3,696 to offset building permit fees imposed on proposed repairs to the Greenburg Oaks Apartments.

Staff has assessed the completed application and determined that the request complies with all program guidelines. The amount of the fees and charges for which reimbursement is requested is an estimate. The actual amount will be known when the formal application for a building permit is submitted in late January. To provide some flexibility in event the fees and charges officially assessed are higher than estimated, staff recommends Council authorize up to \$4,500 in fee assistance, with the actual award to be in the form of a reimbursement based on the fees and charges formally assessed.

As indicated in guideline #7, an in-person presentation to City Council is required as part of the application process. The date set for the presentation is the January 28, 2003, Council meeting. A CPAH representative will be available at the meeting for this important step in the application process.

The next application deadline for this assistance program will be sometime in May/June 2003.

OTHER ALTERNATIVES CONSIDERED

Award a lesser amount or no money.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Growth and Growth Management Goal #3 calls for the City to encourage and support "private sector programs to maintain diverse and affordable housing."

ATTACHMENT LIST

Attachment #1 Affordable Housing Fee Assistance Guidelines
Attachment #2 Affordable Housing Fees and Charges Assistance Request

FISCAL NOTES

A total of \$3,696 in fee assistance is requested. The available line item balance within the Community Events and Social Services Fund is \$10,000. Any funds not used during this fiscal year will return to the General Fund budget.

i/citywide/sum/affordable.housing.fee subsidy

Affordable Housing Fee Assistance Guidelines

1. Both for- and not-for-profit entities are eligible to apply for affordable housing fee assistance funds.
2. Eligible activities include affordable housing acquisition, development, and rehabilitation. Affordable housing acquisition and development will receive greater consideration than rehabilitation.
3. The proposed project must be consistent with City housing policies and applicable planning and zoning standards.
4. Only units targeted to households earning at or below 50% of median income are eligible for City funds. Units targeted to households earning 60% of median income are eligible when the project includes an equal number of units serving households at or below 50% of median.
5. The organization guarantees that the housing produced or rehabilitated will maintain long-term affordability, with long-term defined as the longer of 25 years, or, if applicable, the life of any State or Federal loan used to finance the project.
6. The organization guarantees that the project will be enrolled in the City Enhanced Safety Program (ESP) and maintain ESP certification for the respective (a.) period of long-term affordability defined in guideline #5, or (b.) the life of the ESP program.
7. Council review and approval of each separate award will be required. This review will include an in-person presentation to Council by a representative of the organization making the request.
8. The time limit on the use of the funds is two years.
9. Applications for assistance will be accepted twice per year. Applications shall be submitted on forms provided by the City of Tigard.
10. The maximum amount available is \$500 per qualified unit, up to the current Social Services and Events Fund affordable housing set-aside line item balance.

Duane Roberts
City of Tigard
13125 SW Hall Blvd
Tigard, OR 97223

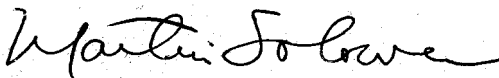
January 2, 2003

Dear Duane,

Attached is our application for Affordable Housing Fee Assistance Funds. We are grateful for the opportunity to participate in this program and thank you and city council for working hard to make the program available.

Programs like this make it easier for CPAH to more effectively provide much needed affordable housing for the citizens of Tigard who earn at the lowest end of the income scale.

Sincerely,



Martin Soloway
Deputy Director, Housing

City of Tigard, Oregon
13125 SW Hall Blvd.
Tigard, Oregon 97223
503-639-4171

FY 2002-03

AFFORDABLE HOUSING FEES AND CHARGES ASSISTANCE REQUEST

Organization Name: Community Partners For Affordable Housing, INC.

Address: 13137 SW Pacific Highway
P.O. Box 23206

City, State, Zip: Tigard OR 97223

Contact Name: Sheila Greenlaw Fink, Executive Director

Telephone Number: 503 968-2724

Email address: msoloway.cpah@verizon.net

Address/location of the project site:

[Note: only projects located within the Tigard City limits are eligible for funding assistance]:

11905 SW 91st, Tigard OR 97223

1. Briefly describe your organization and the type(s) of affordable housing opportunities you provide or are seeking to provide.

Community Partners for Affordable Housing (CPAH) develops new and preserves existing housing resources for those with the greatest need who live or work in the Tigard-Tualatin area and Southwest Portland.

CPAH owns three apartment complexes which provide housing for families at 60% or less of the Portland metropolitan area median income: Greenburg Oaks, Metzger Park and our latest development Village at Washington Square, a brand new 26-unit apartment complex which opened in May 2002. Community Partners for Affordable Housing also owns one five-bedroom, single family rental home for a total of 143 low income rental units.

2. Describe the activity for which you are requesting fee relief.

During the past six months CPAH has conducted a capital campaign to raise funds for critical repairs needed at the Greenburg Oaks Apartments, an affordable rental housing community serving families earning 60% and 50% or less of area median income. Major components of the initial phase of rehabilitation include replacement of 7 deteriorated emergency egress staircases, foundation waterproofing, and replacement of foundation and storm drains. City fees for this

initial phase are estimated at approximately \$3,600. Future planned improvements at the Greenburg Oaks Apartments include improving building ventilation and selective interior repairs and replacements of carpets, appliances, countertops and cabinets. Some of the planned Phase II improvements will require permits. An additional Affordable Housing Fees and Charges Assistance Request for the Phase II repairs and replacements may be submitted by CPAH, if appropriate, at a later date.

For more information about Community Partners for Affordable Housing and the Greenburg Oaks Apartments capital campaign, please visit the CPAH website at: www.cpahinc.org.

3. Describe the fees and charges (including amounts per unit) that you are seeking City funds to offset.

Fees and charges for the proposed work at Greenburg Oaks Apartments have been estimated based on the schedule of fees currently in place and are shown in the table below.

City of Tigard
Building Permit
Fees

	Permit	Review	Tax	F&LS	Comm total
Building 1	177.70	115.51	14.22	71.08	378.51
Building 2	298.30	193.90	23.86	119.32	635.38
Building 3	298.30	193.90	23.86	119.32	635.38
Building 4	298.30	193.90	23.86	119.32	<u>635.38</u>
					2,284.65

City of Tigard Plumbing Permit Fees	Total Lin Feet Drain	Additional Lin Feet	Fee Per First 100	Fee per Additional	Additional Fee over	Plumbing Permit
	Lines	over 100	Lin Feet	100 ft	100 Lin Ft	Fee
Building 1	540	440	55.00	46.40	204.16	259.16
Building 2	652	552	55.00	46.40	256.13	311.13
Building 3	840	740	55.00	46.40	343.36	398.36
Building 4	922	822	55.00	46.40	381.41	<u>436.41</u>
						1,405.06

4. Describe the status of all necessary land use, zoning, and building plan approvals.

A pre-application meeting to discuss the proposed improvements took place in July 2002. In attendance were Gary Lampella from the City of Tigard, LRS Architects, Seabold Construction and the Owner (CPAH). Building plans and specifications were finalized in September but as of December 30th, have not been submitted for review. Funding for the initial phases of the project has now been secured and CPAH anticipates submitting for permit in early January 2003 with start of construction in February.

An on-site meeting with Matt Stine, City Forester, and a representative of CPAH took place in October 2002. The purpose of the consultation with Mr. Stine was to discuss several trees on site which may need to be removed, or may not survive,

excavation around the buildings as part of the work to waterproof the foundations and replace foundation and storm drains. At Mr. Stine's recommendation, an arborist was consulted and an assessment of effected trees was prepared and submitted to the City. Our understanding is that a Planner will be assigned and the review of the tree assessment and possible tree mitigation charges will be determined, upon submission of the application for plumbing permits.

5. *Indicate whether the project will require the relocation of any household or business.*

CPAH does not anticipate relocating any Greenburg Oaks residents (or businesses) will be necessary during the construction.

6. *Request (express in whole dollar amounts only): [Note: the City budget amount available for all projects combined during FY 02-03 is \$10,000.]*

Dollar amount per unit	\$	44
Number of units		84
Total request	\$	3,696

Note: This amount may increase once tree mitigation fees, if any, are calculated. It is also possible that unforeseen circumstances will trigger change orders that could require further city fees.

7. *Briefly describe how your project addresses each of the guidelines adopted by the Tigard City Council for considering fee assistance requests. Omit guidelines 7 & 9. [Use and insert additional page if needed.]*

1. Community Partners for Affordable Housing (CPAH) is a not for profit organization committed to providing high quality affordable housing in the Tigard area.
2. The planned work is rehabilitation to preserve existing affordable housing.
3. Greenburg Oaks is already consistent with City housing policy.
4. Of the 143 units of housing we operate in or near Tigard, most are affordable to and are occupied by local households earning less than 50% of the area median income. Rents at Greenburg Oaks are affordable to households earning 50% of the area median income, and more than half of our tenants are at that income level.
5. We have covenanted with the State of Oregon that we will maintain Greenburg Oaks as affordable housing for a period of 60 years, until the year 2058.
6. The project is actively enrolled in the city Enhanced Safety Program. We facilitate an active Neighborhood Watch committee at the site and we coordinate closely with the City Police Department.
8. While the relevant work will be staged in two phases, it is anticipated that it will be completed by the end of the summer of 2003.

10. The estimated amount of the request is \$43.98 per unit.

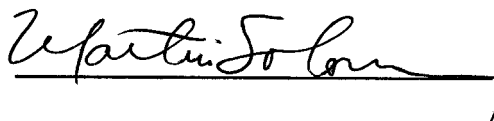
8. Describe when you anticipate being able to use the requested funds.

CPAH anticipates submitting an application for building permits in early January 2003. According to the current City of Tigard fee schedule, Review and Fire, Life Safety fees are due at time of application for a building permit. Allowing 2 – 3 weeks review and processing time for the City of Tigard Building Department, permits could be issued and construction begin in February 2003. CPAH estimates \$1,226.25 would be due at application with the balance, \$1,158.40, due when the building permits are issued. The remaining balance of the estimate project permit fees, \$1,405.06, are for plumbing permits which are over the counter permits. Based on the above timeline, CPAH anticipates being able to utilize the requested fees as soon as they are available.

9. Certification

I hereby certify, by signature below, that the information contained in this application is true and correct to the best of my knowledge.

Date: 1-2-03

Signature: 

Typed Name and Title: Martin Soloway
Deputy Director, Housing

*Note: Submit one original of the completed. The application deadline is **4:00 pm, January 2nd, 2003** at Tigard City Hall. Applications transmitted by fax or email will not be accepted. Mail or deliver to:*

*City of Tigard
Attn: Duane Roberts
13125 SW Hall Blvd.
Tigard, OR 97223*

Should you have any questions about how to complete the application form, contact Duane Roberts; 503-639-4171; duane@ci.tigard.or.us.

AGENDA ITEM # _____
FOR AGENDA OF January 28, 2003

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Authorize sale of surplus property located at 13230 SW 154th Ave (Clute Property) using a Real Estate broker.

PREPARED BY: Terry Muralt, Buyer DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Shall the City list the property located at 13230 SW 154th Ave. for sale with a local real estate broker on a multiple listing basis, using the same minimum price as in the previous solicitation. Broker shall be selected in accordance with TMC 3.44.025.

STAFF RECOMMENDATION

Keep same minimum price of \$285,000 and list the property with a local real estate broker on a multiple listing basis. Broker shall be selected in accordance with TMC 3.44.025.

INFORMATION SUMMARY

Council approved the sale of the surplus property purchased for access to Menlor Reservoir site on August 13, 2002. A solicitation for bids was prepared and advertised with a closing date of September 17, 2002 at 2:00 PM. The City received one bid from Barry Cook for \$290,000. Earnest money of \$5,000 was received within 5 days of bid award and the closing date was set for November 6th, 2002.

On November 5th the first request was received to extend the closing date. The City over the next several weeks extended the closing date 4 different times. On December 4th Barry Cook had still not secured sufficient funds to complete the purchase so the City terminated the sale. The City retained the \$5,000 earnest money that had been deposited under the initial sale agreement to offset legal and administrative costs incurred as a result of the repeated requests for extensions.

TMC 3.44.015 (H) states that if no acceptable bids are received (1) the council may alter or keep the same minimum terms and direct staff to hold another sale, or (2) the council may alter or keep the same minimum terms and list the property for six months with a local real estate broker on a multiple listing basis. A listing may be renewed for an additional one six-month period.

OTHER ALTERNATIVES CONSIDERED

Complete another solicitation for bids for the property.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

N/A

ATTACHMENT LIST

1. Summary appraisal report – May 2002
2. Summary of the timeline of failed closings and attorney costs.

FISCAL NOTES

The summary appraisal report indicates the market value of the property is considered to be \$285,000.

CITY OF TIGARD, OREGON

RESOLUTION NO. 02-_____

A RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY LOCATED AT 13230 SW 154TH AVE (CLUTE PROPERTY) USING A REAL ESTATE BROKER.

WHEREAS, the piece of property located at 13230 SW 154th Ave was authorized by City Council with Resolution No. 02-50 on August 13, 2002 to be sold according to TMC 3.44.015;

WHEREAS, a bid process was completed and one bid was received; and

WHEREAS, the buyer could not secure sufficient financing for closing; and

WHEREAS, the City recommends the property be listed with a local real estate broker on a multiple listing basis, using the same minimum price as in the previous solicitation.; and

WHEREAS, Tigard Municipal Code Chapter 3.44.025 describes the process to select a real estate broker.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: A notice soliciting real estate brokers shall be published according to TMC 3.44 025 (1)

SECTION 2: The City Manager shall select a broker according to TMC 3.44025 (3) (A-D)

SECTION 3: The property shall be sold using the same minimum price of \$285,000

SECTION 4: The City Manager is authorized to complete the sale transaction including but not limited to purchase agreement and deed.

SECTION This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2002.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

ATTACHMENT 1

SUMMARY APPRAISAL REPORT

**PARCEL 1 OF THE CLUTE PROPERTY
13230 S.W. 154TH AVENUE
TIGARD, OREGON
PO No: W20832**

PREPARED FOR

**MR. DENNIS COLEMEIR
DEPARTMENT OF PUBLIC WORKS
CITY OF TIGARD
17125 S.W. HALL BOULEVARD
TIGARD, OREGON 97223**

PREPARED BY

**MOSCATO, OFNER & HENNINGSSEN, INC.
13765 N.W. CORNELL ROAD, SUITE 200
PORTLAND, OREGON 97229**

EFFECTIVE DATE

MAY 6, 2002

OUR FILE NO: C02-073

Moscato
Ofner &
Henningesen, Inc

Real Estate Appraisers and Consultant:

Principals:

Louis J. Moscato, MAI
Lawrence E. Ofner, MAI
Scott A. Henningesen, MAI

May 10, 2002

Mr. Dennis Colemeir
Department of Public Works
City of Tigard
17125 S.W. Hall Boulevard
Tigard, Oregon 97223

Dear Mr. Colemeir:

Pursuant to your request, we have performed a complete appraisal in a summary report format of the City's Parcel 1 of the Clute Property located at 13230 S.W. 154th Avenue in Tigard, Oregon.

In accomplishing this assignment, we have completed an inspection of the subject property, together with observing both economic and land use trends in the subject's general area. In addition, comparable market data was investigated, analyzed and applied as appropriate.

It is important to note that this is a complete appraisal in a summary report format which is intended to comply with the reporting requirements as set forth under Standards Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice. As such, it presents only summary discussions of the data, reasoning and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning and analyses is retained in the appraiser's file. The depth of the discussion contained in this report is specific to the needs of the client and for the intended uses as stated in this report. The appraiser is not responsible for unauthorized use of this report.

In this appraisal, the property has been valued as though it would be sold on an all-cash or equivalent new mortgage financing basis and has been prepared to comply with the Uniform Standards of Professional Appraisal Practice (as promulgated by the Appraisal Standards Board of The Appraisal Foundation).

Based on our investigation and analysis of the available information, the market value of the subject property in fee simple, as described herein and as of May 6, 2002, is considered to be:

TWO HUNDRED EIGHTY FIVE THOUSAND DOLLARS

\$285,000

Mr. Dennis Colemeir

May 10, 2002

Page Two

The valuation stated herein is subject to the important conditions and assumptions which follow on the subsequent and attached pages including, but not limited to, the extraordinary assumption that there are no toxic or hazardous waste materials or conditions which exist within any building improvements, site improvements or the land itself and it must be noted that the appraisers are not experts in this field; thus, if any questions or concerns exist, it is recommended that appropriate experts be consulted. In this case, a Phase I Environmental Assessment Report was provided for our review (see Site Description section).

Respectfully submitted,

MOSCATO, OFNER & HENNINGSEN, INC

A handwritten signature in black ink, appearing to read "Lawrence E. Ofner", with a stylized flourish at the end.

Lawrence E. Ofner, MAI

Principal

Oregon State Certification No. C000016

SUMMARY OF PERTINENT DATA

Effective Date: May 6, 2002

Date of Inspection: May 6, 2002

Date of Appraisal: May 10, 2002

Property Rights Appraised: Fee Simple

Location: 13230 S.W. 154th Avenue, Tigard, Oregon

Improvements: A one-story, wood frame single-family residence built in 1960 and containing 1,984 sq.ft. of gross area plus a detached utility shed. Due to the subject's zoning for high density residential development and the overall age, site layout, condition, quality and design of the improvements, the subject improvements are considered to contribute no appreciable value and would likely be removed if the property were to be developed.

Site Size:

	<u>Acres</u>	<u>Sq. Ft.</u>
Total Site Area:	1.360	59,242
Estimated Usable Area:	0.957	41,696

Zoning: R-25 (Medium/High-Density Residential District)

2000-01 Real Market Value: \$297,070

Owner of Record: City of Tigard

Highest & Best Use: As vacant - high density attached housing development

Flood Hazard Area: No portion of the subject site appears to be located within a 100-year flood hazard area.

Exposure Time: Six months (assuming property had competent and aggressive marketing)

Indicated Stabilized Values:

Cost Approach: N/A

Sales Comparison Approach: \$285,000

Income Approach: N/A

Market Value Conclusion: **\$285,000***

* Subject to the extraordinary assumption that the property is free of any environmental contamination.

City of Tigard

Summary of Timeline of Failed Closings and Attorney Fee's for Vacant Developed Parcel located at 13230 SW 154th Ave., Tigard, OR 97223

Attached you will find a summary of the transactions of the attempted sale of the property at 13230 SW 154th and a spreadsheet of the Attorney fee's incurred from the beginning of the sale to 11/15/02.

1. Council approved sale of surplus property on 8/13/02
2. Solicitation was prepared with closing date of 9/17/02 at 2:00 PM with a minimum bid of \$285,000. It was advertised for sale in the following papers:

Oregonian - 8/26/02
Community Newspapers - 8/29/02
Daily Journal of Commerce - 8/28/02
3. One bid was submitted on 9/17/02 at 11:22 AM for \$290,000.00 by Barry Cook with request that the deed be put in the name of Blanche Richardson.
4. Closing date was set for November 6th - (45 days from execution of earnest money agreement.)
5. On October 7th a request was made by Barry Cook to change the title name to Paul Richardson. A letter from the City Attorney's office was issued regarding the change.
6. On November 5th, Barry Cook requested an extension. The City agreed and extended the closing time to November 13, 2002 at 5:00 PM. A letter was issued from the City Attorney's office to all parties that an extension had been granted.
7. On November 12th the City received a request from Barry Cook to change the title name from Paul Richardson to Charles Bruce Briscoe. The City agreed to the change. A letter from the City Attorney's office was issued regarding the change.
8. On November 13th, the City was notified that Barry Cook would not have all the finances secured for closing and asked for an extension to November 15th. The City agreed to extend closing to November 15th 5:00 PM. A letter from the City Attorney's office was issued regarding the change and stated that no further extension of any nature would be granted.
9. The morning of November 15th Barry Cook notified the City that he was approximately \$25,000 short and asked for another extension so he could secure the remainder of the funds. At that time funds had started to be received at the Oregon

Title. Per the City's instructions a letter was issued by the City Attorney stating that the City would extend the closing to December 2nd and that this was a final extension. No more extensions would be granted. At the end of the day 11/15/02 Oregon Title reported to the City that Barry Cook was \$120,000 short in securing the required funds to close escrow.

10. On December 2nd the City was again notified that not all the funds had been received but that they were in the process of being granted by a new loan company. Instructions were given by the City to extend the closing deadline to December 4th no later than 5:00 PM.
11. On December 4th the remainder of the funds still had not been received by Oregon Title so the transaction for the sale was terminated. The City retained the \$5,000 earnest money that had been deposited under the initial sale agreement.

Attorney Fee's for Vacant Developed Parcel located at 13230 SW 154th Ave.

DATE	TIME	EXPENSE	ATTORNEY
09/17/2002	0.40	\$60.00	DGC
09/18/2002	4.30	645.00	DGC
09/18/2002	0.60	30.00	GAL
09/18/2002	0.70	35.00	GAL
09/23/2002	0.40	60.00	DGC
09/23/2002	0.50	37.50	GAL
09/24/2002	0.70	105.00	DGC
09/24/2002	0.40	20.00	GAL
09/25/2002	0.30	45.00	DGC
09/25/2002	0.30	15.00	GAL
09/26/2002	0.20	10.00	GAL
10/02/2002	0.40	\$20.00	GAL
10/02/2002	0.20	\$30.00	GDC
10/07/2002	0.70	\$105.00	DGC
10/14/2002	0.40	\$60.00	DGC
10/29/2002	0.30	\$15.00	DJC
10/31/2002	0.40	\$60.00	DJC
10/31/2002	2.10	\$273.00	SAN
11/01/2002	0.60	\$90.00	DGC
11/04/2002	0.40	\$60.00	DGC
11/05/2002	0.70	\$105.00	DGC
11/06/2002	0.40	\$20.00	GAL
11/12/2002	0.60	\$90.00	DGC
11/13/2002	2.20	\$330.00	DGC
11/13/2002	0.40	\$20.00	GAL
11/13/2002	0.40	\$20.00	GAL
11/14/2002	0.90	\$135.00	DGC
11/15/2002	1.10	\$165.00	DGC
11/15/2002	1.30	\$65.00	GAL
11/18/2002	.20	\$30.00	DGC
11/27/2002	.30	\$15.00	GAL
		\$2,710.50	